Alice Ruby, Mayor

City Council Members

• Doug Holt • Paul Liedberg • Bob Himschoot
• Keggie Tubbs • Tracy G. Hightower • Tim Sands

DILLINGHAM CITY COUNCIL
MEETING AGENDA
David B. Carlson Council Chambers
Dillingham City Hall, 141 Main Street, Dillingham, AK 99576 (907) 842-5212

BOARD OF EQUALIZATION MEETING	**5:30 P.M.**	**MAY 3, 2012**
REGULAR MEETING	**7:00 P.M.**	**MAY 3, 2012**

I. CALL TO ORDER

A. Swearing in Ceremony for New Member(s)

II. ROLL CALL

III. APPROVAL OF MINUTES

A. Regular Meeting, April 19, 2012

IV. APPROVAL OF CONSENT AGENDA

A. Proclamation: National Bike/Walk to Work and School Day, May 18, 2012

B. Proclamation: Public Service Recognition Week, May 6-12, 2012

APPROVAL OF AGENDA

V. STAFF REPORTS

A. City Manager Report

B. Standing Committee Reports

VI. PUBLIC HEARINGS

VII. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)

VIII. ORDINANCES AND RESOLUTIONS

A. Introduce Ordinance No. 2012-09, An Ordinance of the Dillingham City Council Levying a 2.5% Tax on Raw Fish Severed from the Commercial Fishing Waters

B. Resolution No. 2012-23, A Resolution of the Dillingham City Council Accepting the Certification of the Canvass Committee Results and Certifying the April 10, 2012 Special Election and Repealing Resolution No. 2012-20

C. Resolution No. 2012-24, A Resolution of the Dillingham City Council Supporting the Nutrition, Transportation, and Support Services Grant for the Continuation of the Dillingham Senior Center *(Clerk Note: This item is not in the packet, but will be available before the meeting.)*

D. Resolution No. 2012-25, A Resolution of the Dillingham City Council Approving the Write-Off of Bad Debts Payable to the City for Personal Property Tax, Sales Tax, Harbor and Dock Invoices Dated 2010 and Prior

IX. UNFINISHED BUSINESS

A. Animal Shelter Facility

B. Letter of Intent Between City of DLG and Smart Tower Energy

X. NEW BUSINESS

A. Committee Appointments

1. Senior Advisory Commission – 3 Seats

2. Library Board – 2 Seats

XI. CITIZEN'S DISCUSSION (Open to the Public)

XII. COUNCIL COMMENTS

XIII. MAYOR'S COMMENTS

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Annexation

2. Gladden vs. City of Dillingham

B. Personnel Matter

1. City Manager Hire

XV. ADJOURNMENT

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, April 19, 2012, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:02 p.m.

II. ROLL CALL

Mayor Alice Ruby was present.

Council Members present and establishing a quorum (a quorum being four):
Paul Liedberg, Seat B
Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy Hightower, Seat E
Tim Sands, Seat F

Council Members absent:
Doug Holt, Seat A, excused

Staff in attendance:
Dan Forster, City Manager
Jean Barrett, Port Director
Carter Cole, Public Works Director
Doug Dombroski, Chief of Police
Dan Boyd, Animal Control Officer
Jody Seitz, Planning Director
Carol Shade, Finance Director
Janice Williams, City Clerk

Guests: Attorney Brooks Chandler *(via teleconference)*
Bill McLeod, School Supt.
Lucienne Smith, President, Alaska Education and Business Services

III. APPROVAL OF MINUTES

A. Regular Meeting, April 5, 2012

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve the minutes of April 5, 2012.

VOTE: The motion passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

There was no consent agenda.

APPROVAL OF AGENDA

Mayor Ruby asked to add under New Business items A. Solid Waste Management Joint Meeting with Planning Commission, B. Request for Three Free Clean Up Days, and C. Request from Marie Paul for Donation for Jackets and Flotation Vests. She noted the Council would be asked to suspend the rules and go into executive session at 7:30 p.m. with meet with City's Attorney via teleconference.

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to approve the agenda as amended.

VOTE: The motion passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Forster reported on the following:

- Legislative Budget – City was successful at getting two projects funded, $250K for library roof, and $2.28M for upgrades to waste water processing capabilities; and
- Letter of Intent from Concord Blue Systems – this was for a study of solid waste issues to be taken up under New Business.

Discussion:

- asked for an update on the bag of waste outside the harbor, staff answered a barge was being loaded in Seattle with a crane and other equipment and should be in Dillingham in about two weeks to work on the project;
- asked for the status on the sewer main, staff answered the directional drilling project was in the RFP process and more detail would be provided at the May 3 council meeting; and
- and asked for the status on the new forklift, staff answered it was on its way.

B. Standing Committee Reports

Bob Himschoot, Chair, Finance and Budget Committee, reported on recent activities including receiving a briefing on a proposed K-9 unit; gathering health coverage quotes; animal shelter progress, including a recommendation to extend the lease; reviewed budget calendar; reviewed the school budget funding request, plans to conduct a sales tax audit; RFP was out for a study on water and sewer rates; landfill rates would be reviewed during budget process; harbor fees would be brought up at the next Port Committee meeting; review low income exemption for raw fish taxpayers; and researching bear proof fish waste container.

Tim Sands, Chair, Code Review Committee, reported on recent activities including discussion of providing manager with the authority to waive fees; continuing to work on the severance tax ordinance; presenting raw fish and severance tax ordinances for review by Finance and Budget Committee, specifically section on tax refunds for low income fishers; in union negotiations working on some personnel regulations that will eventually be brought to the Code Committee; preparing an ordinance for Council approval to change Library Board terms from 2 years to 3 years consistent with other commissions and committees.

He confirmed the Committee was looking at establishing a threshold for the administration to have authority to waive up to a certain amount under certain circumstances, and forgive interest and/or penalty.

Mayor Ruby, School Facility Committee, reported on recent activities including scheduling an open house to showcase the renovation of the schools in early Sept.; working toward an RFP for an assessment for red territorial school; and had reviewed the prioritized school capital projects list that would be presented at the next Council meeting.

City Manager reported, as a practical matter, the City should begin discussions on the animal shelter since the existing lease would be up in June.

MOTION: BOB Himschoot moved and Tim Sands seconded the motion to direct the Manager and Chief of Police to pursue a six month lease extension, and an operations plan developed cooperatively with the neighbors.

It was noted extending the lease would provide an opportunity to fully evaluate all current options, and any others that might arise in that period, and, hopefully, come up with a permanent solution.

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to suspend the rules to immediately take up item XIV. Executive Session [7:32 p.m.].

GENERAL CONSENT: The motion passed with no objection.

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to come out of Executive Session [7:55 p.m.].

GENERAL CONSENT: The motion passed with no objection.

VI. PUBLIC HEARINGS

Mayor Ruby opened the public hearing on Ordinance No. 2012-08.

A. Adopt Ordinance No. 2012-08, An Ordinance of the Dillingham City Council Amending Section 17.11.050 of the Dillingham Municipal Code to Eliminate the Requirement for an Engineer Review of a Proposed Subdivision

There being no comments the public hearing closed.

VII. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)

School Supt. Bill McLeod distributed copies of their school flyer "Funding Public Education in Alaska, directing Council to the graphs that showed the 3rd graders improving immensely in reading and writing proficiency. He noted some things had been cut in their FY 2013 budget including cutting back on staff, extracurricular activities, maintenance operations, and had balanced the budget with the $50K the City had added to the school budget in FY 2012.

He was hoping the City would continue with the $50K increased in the FY 2012 budget, once they had reviewed the City budget.

Supt. McLeod reported on the recent change related to the school's funding formula and the State decreasing the required school contribution from 4 mills to 2.65 mills. The City has exceeded the required contribution in the past by around $600K. The more the City provided the more the State provided up to a limit. In answer to why some students attended Mount Edgecombe, he felt there was a myriad of reasons including the school had an expanded curriculum more so than what a small school like Dillingham could offer, had a pretty good reputation for good performance, and it carried on the tradition in some families.

It was recommended that a comprehensive presentation of the school budget be made at a Finance and Budget Committee meeting to include an explanation of the school funding formula.

VIII. ORDINANCES AND RESOLUTIONS

A. Adopt Ordinance No. 2012-08, An Ordinance of the Dillingham City Council Amending Section 17.11.050 of the Dillingham Municipal Code to Eliminate the Requirement for an Engineer Review of a Proposed Subdivision

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to adopt Ordinance No. 2012-08.

VOTE: The motion to adopt Ordinance No. 2012-08 passed unanimously.

B. Resolution No. 2012-20, A Resolution of the Dillingham City Council Accepting the Certification of the Canvass Committee Results and Certifying the April 10, 2012 Special Election

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to approve Resolution No. 2012-20.

Mayor Ruby reported there was a typo in the number of poll ballots properly cast, that it should read 654 instead of 658, and the total ballots properly cast should read 723 instead of 727.

MOTION: Tim Sands moved and Bob Himschoot to amend the resolution to change the poll ballots properly cast to 654 and the total ballots properly cast to 723.

Discussion:

- noted the certification of the canvassing committee would reflect the change;
- thanked everyone who participated in the annexation process, all the time and effort put forward, especially Mayor Ruby for her leadership and maintaining civility in the neighborhood meetings, and hoped the City could move forward as a region; and
- suggested sending a thank you card to consultant Barb Sheinberg as well.

VOTE: The motion to approve the amendment to Resolution No. 2012-20 passed unanimously.

VOTE: The motion to approve the amended Resolution No. 2012-20 passed unanimously.

C. Resolution No. 2012-21, A Resolution of the Dillingham City Council Establishing the Level of Funding for the Dillingham City School District for the Fiscal Year Ending June 30, 2013

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2012-21.

Mayor Ruby commented the resolution offered was a placeholder, that the City had 30 days to take action once the school budget was received, and it would be further reviewed during the City budget process.

Discussion:

- commented the offered resolution was based on 4 mills, not 2.6 mills, and would not consider lowering the school funding amount, because it would be a detriment to the schools.

VOTE: The motion to approve Resolution No. 2012-21 passed unanimously.

D. Resolution No. 2012-22, A Resolution of the Dillingham City Council Authorizing the City Manager to Award a Contract with _____ for State Lobbying Services

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve Resolution No. 2012-22.

Mayor Ruby reported the Lobbying Committee had selected Consulting Alaska and Fiskar North, a team of three people, for a not to exceed amount of $24K a year, plus any travel expenses not to exceed $1,000 each.

Discussion:

- asked if they represented Pebble Mine, noted it was not on their client list, and had asked them if there were any conflicts;
- asked if they had a presence in Washington D.C., noted they didn't, but they had some connections with the City's congressional delegation; and
- noted one of the criteria for recommending this group was their connection with fishing communities.

Keggie Tubbs disclosed he had worked on projects with Greg Fisk at BBEDC.

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to amend the resolution to add the firm of Consulting Alaska and Fiskar North plus the not-to-exceed amount of $24,000 a year plus travel expenses.

VOTE: The motion to approve the amendment to Resolution No. 2012-22 passed unanimously.

VOTE: The motion to approve the amended Resolution No. 2012-22 passed unanimously.

IX. UNFINISHED BUSINESS

A. Animal Shelter Facility

There was nothing else to report.

B. Committee Appointments

1. Planning Commission (Seat E)

Mayor Ruby recommended the appointment of Andy Anderson to the Planning Commission, basing the recommendation on appointing someone with a development background.

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to concur with the Mayor's recommendation to appoint Andy Anderson to the Planning Commission.

VOTE: The motion passed unanimously.

X. NEW BUSINESS

A. Solid Waste Management Meeting with the Planning Commission

Manager Forster reported the City was not in compliance with its burn box at the landfill. He noted part of the CIP plan was to find a solution and move forward. During investigations of options, the City identified a possible direction converting waste to energy. An outside firm was willing, at no obligation or expense to the City, to research building an energy plant using the huge amount of fish waste, and with elevated energy costs it made the project seem practical.

Mayor Ruby suggested reviewing the existing solid waste management plan with the planning commission in a joint work session. A tentative meeting date was set for Wednesday, May 2.

Staff noted the offered Letter of Intent (LOI) would allow the company to justify its internal cost to research the project. Staff was directed to place the LOI on the May 3 agenda.

B. Request for Three (3) Free Clean-Up Days, May 18, 19 and 20

MOTION: Bob Himschoot moved and Tim Sands seconded the meeting to designate three free clean up days, May 18, 19, and 20, bagged garbage only.

VOTE: The motion passed unanimously.

C. Request from Marie Paul for a Donation for Jackets and Flotation Vests

Mayor Ruby referred to the letter from Marie Paul in which she was requesting a donation to help fund flotation vests for children. The Council sympathized with her request and favored making a joint personal donation in lieu of setting a trend for future requests for donations.

XI. CITIZEN'S DISCUSSION (Open to the Public)

Tom Tilden commended Mayor Ruby for her participation in the annexation process, applauding her for her patience and civility during the public meetings. He spoke in support of the Council's discussion to rethink the raw fish tax refund for low income fishers from 50% to 100%, referring to Igushik fishers who relied solely on fishery income, BBNC stock, and their PFD check, and presented his personal finances as it regarded income and expenses from commercial fishing. He remarked it had been a close election, that there were some hard feelings, and it would take some mending to all work together.

Jean Barrett reported the City had regularly applied for a State program called "Kids Don't Vote" and from that program the State donated life vests for all ages. The vests were displayed at the harbor and Wood River launch area to borrow and return. As a lifelong Dillingham resident, he appreciated everyone's hard work on the annexation vote and what Tom Tilden had to say.

XII. COUNCIL COMMENTS

Bob Himschoot:

- thanked both sides of the community, those in support of annexation, and those who brought strong arguments against it, because it helped with their consideration;
- commented he appreciated Tom Tilden's efforts to advocate for a further review of exemptions, that he also wanted to get it right before it started affecting people;
- thanked Bill McLeod for the budget presentation; and
- noted he would personally contribute to Marie Paul, and recommended the City match the funds, but withdrew his recommendation after considering it could set a precedent and further negatively affect the budget.

Tm Sands:

- thanked City staff for all their hard work and for keeping the city running; and
- voiced his appreciation for the State funding several of the City's CIP projects, hoped it was attributed, in part, to the City's lobbying trip to Juneau, and asked if the City could send thank you notes, and he would be sending his own personal thank you notes.

Keggie Tubbs:

- agreed with Tom Tilden that there needed to be some conciliatory gesture made to mend fences, and thought there might be time to revisit the exemptions before they took effect.

Tracy Hightower:

- commented the City would need to work a lot more toward being more transparent about the issues following the talk on Facebook and other blogs, and make sure the City followed through with what it said.

Paul Liedberg:

- complimented the Mayor on her leadership through the whole process, and Council members, staff, and volunteers who worked so hard on it; and
- supported the City being transparent and open with people as it moved forward.

XIII. MAYOR'S COMMENTS

Mayor Ruby commented on the following:

- agreed the City needed to reach out to its neighboring communities;
- proposed in writing to the villages to see if they would like to have a Council member attend a Tribal or City meeting and hear their concerns;
- appointed Tim Sands, Bob Himschoot, and Tracy Hightower to the BOE meeting, with Paul Liedberg as an alternate;
- AVEC was planning an event to dedicate two vessels in Dillingham at the end of May, and invitations would be extended to the Mayor and Council;
- unless Council objected would direct Manager to write a letter to Tim Troll that supported his concerns regarding notice of Millrock's permit application that was not sent to the Tribal Councils, and Dillingham, in the region;
- thanked the State's crash fire rescue, City of Aleknagik, along with the City's fire dept. volunteers and ambulance service for the cooperation between organizations and communities in the recent tragic event; and
- recognized those that were lost since the last meeting with a moment of silence.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Annexation

2. Gladden vs. City of Dillingham

(Clerk Note: Items A. 1 and A. 2 were taken up at earlier at 7:30 p.m.)

B. Personnel Matter

1. City Manager's Contract

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to go into executive session under DMC, 2.09.050, regarding personnel matters [9:11 p.m.].

GENERAL CONSENT: The motion passed without objection.

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to come out of executive session [9:27 p.m.].

GENERAL CONSENT: The motion passed with no objection.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:27 p.m.

Alice Ruby, Mayor

ATTEST:

_____
Janice Williams, City Clerk

Approved:_____

City of Dillingham

CITY OF
DILLINGHAM
ALASKA

Executive Proclamation

Bike and Walk to Work and School Day
May 18, 2012

WHEREAS, for more than a century, the bicycle has been an important part of the lives of most Americans; and

WHEREAS, millions of Americans engage in walking and bicycling because it is a viable and environmentally-sound form of transportation, an excellent form of fitness, and provides quality family recreation; and

WHEREAS, the education of cyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users; and

WHEREAS, the League of American Bicyclists and independent cyclists throughout our state are promoting greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries and fatalities; and

WHEREAS, May 14-18, 2012 is National Bike to Work Week;

NOW, THEREFORE, I, Alice Ruby, Mayor of the City of Dillingham, do proclaim May 18, 2012, as Bike and Walk to Work and School Day and encourage all citizens to participate.

_____

Mayor Alice Ruby
who has also authorized the seal of the City of Dillingham, Alaska,
to be affixed to this proclamation

Dated this day of May 2, 2012

City of Dillingham

CITY OF
DILLINGHAM
ALASKA

Executive Proclamation

Public Service Recognition Week
May 6-12, 2012

WHEREAS, the functioning and progress of our state and nation relies upon the millions of public employees at the federal, State, and municipal levels, whose daily service benefits us all; and

WHEREAS, many public servants, including military personnel, policy officers, firefighters, health care professionals and others, risk their lives each day in service to the people of the United States and around the world; and

WHEREAS, day in and day out they provide the diverse services demanded by our state and nation with continued efficiency and integrity; and

WHEREAS, observed since 1985 each year the President and Congress designate the first full week of May as Public Service Recognition Week in honor of all public servants who put service above self; and

WHEREAS, these public servants help bring stability, innovation, and security to Alaska and our nation and deserve our thanks throughout the year;

NOW, THEREFORE, I, Mayor Alice Ruby, do hereby proclaim May 6 through May 12 as Public Service Recognition Week in Dillingham, and encourage other Dillingham citizens to recognize the accomplishments and contributions of our public servants.

_____
Mayor Alice Ruby

Dated this day of May 2, 2012

CITY OF DILLINGHAM ALASKA

MEMO

Date: April 27, 2012
To: Mayor and City Council
From: Dan Forster, City Manager DF

Subject: Monthly Report for April 2012

Update on Leasing of City Property
An RFP for the proposed "Harbor Lease Lots" was issued with proposals due on April 30. After April 30, proposals will be accepted on a first come first served basis, as long as land for lease is available.

A lease with NAPA has been executed for Harbor lease lot No. 2.

Lobbyist Services
The Lobbying firms of Fisk, Fisk and Stone have been selected as a team. Contract negotiations are underway.

Fire Department ISO Report
Verbal communication with Fire Chief Norman Heyano indicates that the volunteer executive committee is evaluating the ISO report and will be making recommendations to the City for how our services can be upgraded to meet our previous standard. The report is due to the ISO by May 25th.

Solid Waste Management
A joint workshop with the City Council and Planning Commission is being scheduled for May 2. This workshop will explain how the landfill is currently not in compliance with state regulations and the options available to the city in making corrective actions.

Legislative Grants
The legislature, thanks to the efforts of Bryce Edgmon and the visit to Juneau by council members Sands and Hightower, has resulted in two city projects being sent to the Governor for addition as grants in the budget. These are a $2,280,000 wastewater system improvement and a $250,000 library roof replacement grant. Our new lobbyist will work to insure they stay on the budget signed by the governor.

Annexation Election
The election for annexation and imposing a raw fish tax occurred on April 10. The measure passed. The city is now preparing for the implementation of the raw fish tax.

Live Streaming
No additional research has been done regarding the possibility of live streaming council meetings

CITY OF DILLINGHAM ALASKA

MEMO

Mandatory Drug Testing
After May 4, city staff required to hold a commercial driver's license will be subject to random drug testing per federal laws. The city is obliged to implement this requirement. A process will be established.

Manager Schedule
I will be out on Friday May 4th and Monday May 7th.

Manager Recruitment
Per my verbal notice last meeting, I will be resigning my position as City Manager for personal/health reasons. Tim Pearson has been notified to begin the recruitment process. I plan to stay on through the budget approval process. I expect that the budget will be approved on June 21, unless there is a reason to change my last day will be June 22, 2012. This will be formalized in a memo to the Council.

CITY OF DILLINGHAM ALASKA

MEMORANDUM

Date: April 24, 2012

To: Manager Dan Forster

From: Janice Williams, City Clerk JW

Subj: City Clerk Report

Resolution No. 2012-23 – At the April 19 council meeting, Resolution No. 2012-20, Certifying the Election, was amended to change the total number of poll ballots correctly cast from 658 to 654. This recommendation from staff was an error and will be reversed with Resolution No. 2012-23 adopting the corrected number of poll ballots properly cast, 658 (~~654~~), and the total ballots properly cast, 727 (~~723~~), as originally presented and will include repeal language to repeal Resolution No. 2012-20.

In the example below the register tape from the Accu-Vote machine tallied 658 ballots. All 658 ballots were properly cast, however, several were not complete, lowering the number of potential votes. On several ballots only one proposition was voted, on another ballot the mark hit outside the oval, on one ballot the person voted yes and no for the same proposition. These transactions didn't invalidate the entire ballot, just the affected proposition. The ballot was still properly cast.

Proposition No. 1 Annex Commercial Fishing Waters			
YES/NO	Poll Votes	Absentee/Questioned	Total
YES	**353**	**43**	**396**
NO	301	26	327
	(654)		

Proposition No. 2 Levy 2.5% Raw Fish Sales Tax			
YES/NO	Poll Votes	Absentee/Questioned	Total
YES	**352**	**44**	**396**
NO	302	25	327
	(654)		

Recap of All Ballots Issued	Total issued	Total counted (properly cast)
POLL BALLOTS	658	~~***654***~~***658***

Vacation. I will be on vacation starting May 14 returning on May 29. The Council packet for the June 7 Regular Council Meeting will be distributed on June 1. During the week of May 7, I will be working on the May 17 council packet.

HELPFUL TIP(S).

Ordinance Subsitute (SUB) Version. At the Council meeting when a substitute ordinance is being recommended for adoption the process should go as follows:

"I move to amend Ordinance No. ___ by substituting Ordinance No. ___ (SUB) for Ordinance No. ____.

If the amendment is approved the Council then votes on whether to adopt Ordinance No. ___(SUB).

At the commencement of the Public Hearing the public should be advised that copies of Ordinance No. ___ (SUB) are on the table and that comments on that version of the ordinance will also be welcome during the public hearing.

City of Dillingham
Revenues and Expenditures As of March 31, 2012
Preliminary Figures

REVENUES:	Budget - FY12	Mar-12	Year to Date Actual - 3/31/12	Percent	Previous Year 3/31/2011 Actual	INC/(DEC) Last Year
General Fund Revenues						
General Sales Tax	2,550,000	148,913	2,083,421	81.7%	1,671,494	411,927
Alcohol Sales Tax	250,000	13,890	223,943	89.6%	162,827	61,117
Transient Lodging Sales Tax	95,000	2,345	57,929	61.0%	72,949	(15,021)
Gaming Sales Tax	65,000	2,472	25,238	38.8%	37,021	(11,783)
Total Sales Tax	2,960,000	167,620	2,390,530	80.8%	1,944,291	446,239
Real Property Tax	1,455,000	(748)	1,463,631	100.6%	1,447,088	16,543
Personal Property Tax	476,715	(16,741)	488,887	102.6%	419,937	68,950
Total Property Taxes	1,931,715	(17,489)	1,952,518	101.1%	1,867,025	85,493
Electric & Telephone	80,000	-	-	0.0%	-	-
Raw Fish Tax	446,588	-	446,588	100.0%	238,589	207,998
Shared Fisheries	40,000	-	48,256	120.6%	40,358	7,898
Revenue Sharing (Municipal Energy Assist in '08)	282,614	-	282,614	100.0%	209,543	73,071
Payment in Lieu of Taxes (PILT)	421,879	-	421,879	100.0%	407,511	14,368
Foreclosures	338,000	-	335,909	99.4%	-	335,909
State Jail Contract	460,725	-	345,544	75.0%	321,722	23,822
Other Revenues	881,813	9,783	211,942	24.0%	472,089	(260,146)
Total	2,951,619	9,783	2,092,731	70.9%	1,689,812	402,919
Total General Fund Revenues	7,843,334	159,914	6,435,780	82.1%	5,501,129	934,651
Special Revenue Funds Revenues						
Water	203,262	11,431	136,569	67.2%	124,726	11,843
Sewer	254,371	17,249	185,308	72.8%	165,653	19,655
Landfill	344,493	6,741	99,020	28.7%	96,514	2,506
Dock	680,966	6,778	313,566	46.0%	420,687	(107,121)
Boat Harbor	211,544	(421)	9,043	4.3%	48,657	(39,614)
E-911 Service	65,650	5,037	44,387	67.6%	33,859	10,528
Senior Center	839,389	37,083	351,660	41.9%	100,136	251,524
Total Special Revenue Funds Revenues	2,599,675	83,897	1,139,553	43.8%	990,232	149,321
Debt Service Fund Revenue	1,177,840	-	227,121	19.3%	236,126	(9,005)
Asset Forfeiture Fund	10,000	-	-		-	-
Dock and Harbor Capital Project Fund Revenue	-	623,133	628,346		1,198,141	(569,795)
Road and Streets Capital Project Fund Revenue	1,000,000	33,952	419,554	42.0%	805,228	(385,674)
Water and Sewer Capital Project Fund Revenue	-	57,874	511,827		3,368,590	(2,856,763)
School Bond Project	953,384		18		-	18
School Fire Alarm					58,377	(58,377)
Homeland Security					10,334	(10,334)
Dillingham School District Additional Request	50,000		-		-	-
Equipment Replacement Capital Project Fund	100,000	-	-	0.0%	27,551	(27,551)
Ambulance Reserve Capital Project Fund Revenue					-	-
Mary Carlson Estate Permanent Fund Revenue	7,420		580	7.8%	-	580
Landfill Phase 3		43,002	43,002			
Public Safety Building Planning	20,000				-	-
Total	3,318,644	757,961	1,830,448		5,704,346	(3,916,900)
Total Revenues	13,761,653	1,001,772	9,405,781		12,195,708	(2,832,928)

City of Dillingham
Revenues and Expenditures As of March 31, 2012
Preliminary Figures

EXPENDITURES:	Budget - FY12	Mar-12	Year to Date Actual - 3/31/12	Percent	Previous Year 3/31/2011 Actual	Previous Year INC/(DEC) Last Year
General Fund Expenditures						
City Council	109,100	9,182	36,939	33.9%	72,584	(35,645)
Administration	305,901	30,168	265,940	86.9%	188,198	77,742
City Clerk	113,139	7,316	76,948	68.0%	73,659	3,289
Finance	572,124	35,094	392,807	68.7%	341,790	51,017
Legal	200,000	24,996	148,482	74.2%	35,413	113,069
Insurance	86,899	-	86,141	99.1%	107,078	(20,937)
City School	1,350,000	-	975,000	72.2%	650,000	325,000
Non-Departmental	220,125	34,442	206,890	94.0%	145,099	61,791
Contributions	4,000	-	-	0.0%	25,500	(25,500)
Planning	144,287	7,312	76,135	52.8%	81,206	(5,070)
Dispatch	451,554	36,839	353,057	78.2%	271,262	81,795
Patrol	986,290	119,200	808,877	82.0%	542,177	266,700
Corrections	542,107	45,819	418,931	77.3%	348,912	70,019
DMV	90,590	6,347	61,798	68.2%	52,222	9,576
Fire	290,146	20,770	196,376	67.7%	121,785	74,591
Animal Control Officer	116,306	8,646	93,056	80.0%	106,029	(12,973)
Building and Grounds	298,358	34,716	238,931	80.1%	153,572	85,359
Shop	301,689	30,520	140,138	46.5%	123,372	16,765
Street	513,425	49,621	471,979	91.9%	362,060	109,919
Public Works Administration	133,943	11,794	96,851	72.3%	89,651	7,200
City Apartment Building	150,000	40	121,078	80.7%	3,854	117,225
Library	156,852	11,765	103,332	65.9%	101,501	1,831
Bingo Hall/Potato House	9,905	412	7,632	77.0%		7,632
Transfers to Other Funds	964,045			0.0%	-	-
Total General Fund Expenditures	8,110,785	525,000	5,377,320	66.3%	3,996,925	1,380,395
Special Revenue Funds Expenditures						
Water	200,328	9,463	97,846	48.8%	134,029	(36,183)
Sewer	257,305	10,235	155,042	60.3%	180,067	(25,026)
Landfill	344,493	20,311	234,400	68.0%	225,365	9,034
Dock	369,429	5,182	219,001	59.3%	291,689	(72,689)
Boat Harbor	211,544	7,963	114,353	54.1%	130,096	(15,743)
E-911 Service	-	-	-		7,469	(7,469)
Senior Center	855,189	31,826	647,182	75.7%	299,681	347,501
Total Special Revenue Fund Expenditures	2,238,288	84,979	1,467,824	65.6%	1,268,398	199,426
Debt Service Fund Expenditures	1,177,840	860,920	1,176,840	99.9%	1,177,840	(1,000)
Asset Forfeitures Fund		1,096	15,015		5,152	9,862
Library Technology		-	3,021		-	3,021
Dock and Harbor Capital Project Fund Expenditures		2,350	642,347		1,256,761	(614,414)
Road and Streets Capital Project Fund Expenditures	1,000,000	-	1,146,640		805,228	
Water and Sewer Capital Project Fund Expenditures		21,518	158,421		2,690,964	(2,532,543)
School Bond Project Fund Expenditures	953,384	-	17,607		3,268,620	(3,251,014)
School Fire Alarm					44,336	(44,336)
Homeland Security		15,493	48,495		-	-
Equipment Replacement Capital Proj Fund Expen	100,000	657	94,322	94.3%	126,052	(31,730)
Ambulance Reserve Capital Project Fund Expen	45,000					
Mary Carlson Estate Permanent Fund Expenditures	7,420	688	7,470	100.7%	3,857	3,613
Landfill Capital Project Fund Expenditures		-	2,695		18,543	(15,848)
Total	3,283,644	902,722	3,312,872	100.9%	9,397,353	(6,474,389)
Total Expenditures	13,632,717	1,512,701	10,158,015	74.5%	14,662,676	(4,894,568)
Revenues Over (Under) Expenditures	128,936	**(510,929)**	**(752,234)**		**(2,466,969)**	**2,061,640**

City of Dillingham
Revenues and Expenditures As of March 31, 2012
Preliminary Figures

		Fund Bal. 6/30/2011	FY'12 Revenues	FY'12 Expenditures	Add or (-) Fund Bal	Fund Bal. 3/31/2012
01	General Fund	3,893,876	6,435,780	5,377,320	1,058,460	**4,952,336**
06	Water and Sewer	70,644	321,877	252,888	68,989	**139,633**
07	Landfill		99,020	234,400	(135,380)	**(135,380)**
08	Dock	1,580,187	313,566	219,001	94,565	**1,674,752**
09	Boat Harbor	-	9,043	114,353	(105,309)	**(105,309)**
10	E-911 Service	130,632	44,387	-	44,387	**175,019**
11	Asset Forfeitures Fund	37,220	-	15,015	(15,015)	**22,205**
12	Senior Center	-	351,660	647,182	(295,522)	**(295,522)**
15	Debt Service	-	227,121	1,176,840	(949,719)	**(949,719)**
21	Dock and Harbor Capital Project Fund	(18,386)	628,346	642,347	(14,000)	**(32,386)**
22	Road and Streets Capital Project Fund	-	419,554	1,146,640	(727,086)	**(727,086)**
23	Water and Sewer Capital Project Fund	(58,393)	511,827	158,421	353,406	**295,013**
24	School Bond Project Capital Project Fund	956,055	10	17,607	(17,596)	**938,459**
27	Homeland Security	-	-	48,495	(48,495)	**(48,495)**
30	Equipment Replacement Capital Project Fund	76,704	-	94,322	(94,322)	**(17,618)**
32	Ambulance Reserve Capital Project Fund	452,955	-	-	-	**452,955**
34	Mary Carlson Estate Permanent Fund	407,132	580	7,470	(6,890)	**400,242**
50	Landfill Capital Project Fund	172,044	-	2,695	(2,695)	**169,349**
	Total	7,700,670	9,362,771	10,154,994	(792,223)	**6,908,447**

To: Mr. Dan Forster, City Manager
From: Ethan Richards, Fire Coordinator
Subject: Department Head Report
Date: April 24, 2012

The Dillingham Volunteer Fire Department and Rescue Squad held a combination meeting on 4/4/2012.

Rescue Training was held on 4/11/2012 at the Lake Road Station. The instruction covered run sheet reviews and debriefing with Dr. Stout.

Fire Training was held on 4/18/2012, which consisted of familiarization and operational check the department "wildland" fire fighting equipment. Demonstrations and exercises were conducted using portable tanks for water supply. The water was supplied by Engine 3 which included engineering familiarization for discharge and refilling.

The Rescue Squad responded to 22 ambulance calls during the month of March 2012. They consisted of 9 trauma calls, 1 cardiac, 6 alcohol, 2 OB, 1 poisoning, 1 hypothermia and 2 other medical.

There were no other major equipment issues and all apparatus are in service and ready to respond.

There was one new membership application presented to the Executive Committee and approved by the membership.

During the month of May routine inspection of apparatus, equipment and replacement of expired medical supplies will be completed.

Respectfully,

Ethan Richards,
Fire Department Coordinator

PLANNING DEPARTMENT

To: Dan Forster, City Manager

re: Monthly Report

From: Jody Seitz, Director of Planning and Grant Programs

Date: April 23, 2012

Airport Runway Security Area Project – this AK DOT project is slated to start this summer. The project has been greatly modified, and includes extending the RSA a bit east and a bit west and expanding the runway area to the northwest. The current northeast end of the runway would enter a Native Allotment at its east end and leave no passage for snowmachines. I attended the public hearing 4/25 and commented on this. The Planning Commission's trails project might be able to take in this particular issue and explore the options for maintaining snowmachine access through the airport area to downtown.

GIS – Michael Knapp dba Blue Skies Solutions spent 1.5 hours over 4/19 and 4/20 helping with the address map and re-establishing filepaths for some projects. We cleaned out all the old files so that there is now a standard file structure and both he and Gary Greenberg dba Alaska Map Company have the same recent copies of the whole database as I. This provides the City a great deal of security in our database. It also provides a system of checks that help ensure accuracy and less likelihood of damaging the database. Our next goal is to further identify ownership on remaining parcels and have a full wall scale map of landownership professionally printed for public display. I'm looking forward to the Finance Department installing their Accufund software so that we can reconcile and join the address database to the tax parcels in the GIS.

Landfill – preparing a power point and Gant diagram dealing with Landfill options.

Citizen requests: Several requests for information from students at the campus. Am also beginning to get requests for Address Maps. I think these maps should go for $25-$30 a piece because of the staff time required to make them as well as all the expensive ink they take. First though – providing them to the various departments like Police, Fire, the Library and Public Works.

Encroachment Permit Application: this would be a temporary encroachment permit for TerraSond Company for NOAA tide station to put on the Snag Point Bulkhead. The request was an opportunity to learn that the City actually owns the tidelands below the bulkhead because they were eroded naturally to mean high water

and the bulkhead built after the erosion took place. Then the state deeded the beach to the City for construction of the bulkhead. The permit would be just for this summer.

Land Use Permits: The Seventh Day Adventist Church is going to reconstruct their gym and school building. NAPA LUP for their building in the harbor.

Platting: The mylar for Harbor Lease Lots Final Plat has arrived! Will get signatures and send off to Recorder's Office. Requests/Inquiries: Fortune Subdivision request for information; Bear View Subdivision finishing up final plat.

Research on D Street Vacation. Have been looking this up (as Planner Fulton had to do) once again due to the lack of evidence reflected in plats that were done after the fact, or evidence in the files that the City actually did transfer ownership of the old D Street in a 3 way exchange that resulted in the Moran estate owning the old D Street. It is still not completely solved.

Research on Tower Road right of way – the road was not platted through the Dillingham Planning Commission during the construction process. Looking into it.

Safe Routes to School – The City has for the last several years hosted the annual Walk and Roll to Work/School day in concert with the National Bike to Work celebration. This year it is May 18th. I'm looking forward to possibly getting some help with this from the Parks and Rec Committee.

Water and Sewer projects – worked with Public Works Director and Manager to identify and develop a spreadsheet showing the most essential projects for the next funding cycle, developing a picture of the City's upcoming financial and project obligations.

****

Date: April 24, 2012

To: Dan Forster / City Manager

From: Jean Barrett, Port Director

Subject: April Monthly report

It is that time of year again! The long cold winter has yet again been broken by the beautiful warm sun of spring! The Seabirds have shown back from their winter homes, maybe next year I will follow suit and go somewhere warm and enjoy the weather for a couple of months… Naw! I like those cold winters! Soon the bee hive will awaken and the boats will be splashing into the water as fast as the trailers can pick them, the city dock is now clear of winters white blanket of snow and will turn many different colors, the colors of the freight system, reds, orange and gray with a smattering of blue thrown in. everyone will be wanting their freight yesterday and it just came off of the boat today!!

The Dock crew has been very busy even though they haven't seen a barge yet, with the amount of snow we received this year there was a massive amount to get moved and as soon as Eric and Dean came back at the beginning of the month they started dumping snow over the dock.

The new Hyster 1050 is on a barge on the way to Dillingham. I would like to thank the members of the Port committee, the Finance and budget Committee and the City Council as well as City manager Dan Forster for all of their input and for agreeing that this is the future of the freight business for the city dock and for giving the go ahead to purchase this piece of equipment.

The update on the retrieval of the super sack full of contaminated soil that Alaska Logistics dropped while transferring from one Barge to another is slated to happen at the end of May, I am not real happy with the timing of this as we were told it was going to happen as early in the spring as possible.

With Icicle Seafood's purchase of Sno Pac Seafoods I anticipate a drop in the amount of frozen fish moving over the dock this summer as I understand they will not be processing out of that facility this year, I am hopeful that Peter Pan Seafoods will make up some of the difference with the new freezer plant they have installed.

I have been busy at the harbor getting ready for summer also,
I received a grant from ALFF that will allow the purchase of 3 new ladders for the new portion of the bulkhead, I am awaiting quotes for the construction of these from two local welding shops, I hope to have these in place by mid May.
I met with the local freezer guru, Ray Scandura to do a quick once over of the Ice Machine, we will fire it up as soon as we have water to it.
The public works mechanics have been working on the crane here in the harbor, there has been a couple of problems that need attention before the busy summer months.

Todd Fritze will starting work on the 31st of this month and we will be getting the harbor ready , the skiff is out of the warehouse and we have some ideas for renovation to make it more user friendly. We have some landscaping we want to finish up that didn't get done last fall, there is

some work to be done on the bath house like painting the doors and clean up is needed every where .

I am working with Nushagak Electric to try to isolate the power that feeds the harbor lights and the cameras, as it is right now in order for the cameras to come on the lights have to be on also.

We are once again taking advantage of BBEDC's intern program, I spoke with Pearl Strub, and we are going to be able to hire Virginia Bobbitt back one more time this year. We will also have a youth intern to go with her. Thanks in advance to BBEDC for their generosity and for helping the youth of the area with summer employment opportunities.

That is all for now from the Port Department
Enjoy the spring!

Jean

Dillingham Public Library

To: Dan Forster, City Manager

From: Sonja Marx, Librarian

Date: 4/24/2012

Re: April Monthly Report

April has been a steady month of getting things done and caught up. Many grants have been completed now and the budget process has begun. It's sure nice to see the snow melting!

The video web-conferencing was officially initiated this month. We were able to get connected to the GCI box in the closet to the internet. Tests were run with UAF staff, and we had a successful experience of talking and viewing between us. The Friday school coop (a group of homeschooled students) were the first to join live with the Craig library as they listened and learned from a content provider on CILC (Center for Interactive Learning and Collaboration). We are planning a launch in May to invite the public to the library so they can see what Alaska OWL is all about and begin participating in these wonder events as a community.

The 2012 Summer Reading Program is just around the corner. The theme this year is Dream Big READ! This annual 8-week event during the summer is always well attended. We are now recruiting for help this summer for the three different age groups that participate.

Our stats this month are amazing. We have compared our numbers with last July (usually the busiest time of the year at the library with all the fishermen, visitors, etc.), and we have passed our numbers already. Internet use has gone way up with patrons using the library computers and their own wireless devices. March and April showed many visits from classes at school, the Friday school students, and Kindergartners. The museum was in high use also with events hosted by the Bristol Bay Campus and a visit by the Cub Scouts.

Friends of the Library members have continued to help clean, weed, and organize the library. It looks so fresh and inviting for spring. Book sales have continued this month on Saturdays at the Potato House. The FOL board met on Saturday, April 21st for their monthly meeting and planning.

The Library Board met Monday, April 23rd at 5pm here at the library. Two seats are now open.

Library Stat report for March 25th – April 21st, 2012:

Patron Visits: 2,172 Computer Use: 603 Story Hour: 93 Other: 139

Approximately 84.25 volunteer hours logged

Monthly Report

Dillingham Dept. of Public Safety

For the month of April 2012

Patrol

- 501 Calls for service
- 32 Incident reports generated
- 03 Assaults
- 01 Theft offenses
- 02 Burglaries
- 02 Violation of release conditions/probation
- 01 Criminal mischief offenses
- 01 Driving under the influence
- 00 Persons arrested
- 13 Title 47/Protective custody
- 19 Citations issued

Corrections

- 49 Inmates for 03/22/2012-04/22/2012
- 12 Title 47/Protective custody
- 39 Male inmates
- 10 Female inmates
- 11 Male Protective custody
- 01 Female Protective custody
- 04 Inmates from Adult Probation
- 09 Inmates from Courthouse
- 23 Inmates from A.S.T.
- 13 Inmates from Dillingham Police

WAANT/Investigations Unit

- 03 Alcohol interdictions
- 07 Drug investigations
- 03 Postal Seizure
- 08 Investigative assistance to Dillingham Police

Communications

- 501 Calls for service 03/22/2012-04/22/2012
- 72% Dispatched to Dillingham Police
- 17% Dispatched to Alaska State Troopers
- 6% Dispatched to EMS/Dillingham Fire
- 5% Dispatched to Dillingham Animal Control
- 07 Record requests complete
- 140 E-911 calls received

Animal Control

- 27 Calls handled for 03/22/2012-04/22/2012
- 07 Dog impound
- 03 Compassionate euthanasia
- 03 Dogs surrendered by owners to the shelter
- 04 Dogs found and returned to owners
- 02 Other animal call/Cat
- 04 Citation issued

DMV

- 47 Registrations/Titles
- 59 Driver's license/ID's
- 03 Commercial driver's licenses
- 03 Road tests

Monthly Department Updates

Patrol:

Our new patrol officer, Christina Harris will be starting on Monday, April 30, 2012.

All patrol and reserve officers have successfully completed defensive tactics, handcuffing, and patrol rifle training.

Pistol and shotgun training is scheduled for May.

Corrections:

The Corrections department ordered a new restraint chair to replace the chair which was damaged by a violent prisoner.

WAANT/Investigations:

The WAANT unit continues to investigate drug and alcohol related crimes in the Dillingham area.

Communications:

Dispatch is currently seeking applications for the available Dispatch I position.

The new E911 dispatch system is currently being installed and will to be completed by May 4, 2012.

Also we have welcomed another team member Chelsea Wassily to the dispatch department.

Animal Control:

ACO Boyd successfully completed defensive tactics training.

DMV:

DMV is conducting road testing to restricted CDL's. Fingerprinting for Haz-Mat endorsements on a CDL is being conducted.

Administration:

Chrissie Messer has been promoted to the Administrative Assistant/Dispatcher.

Preparation of 2013 Grants and review of 2012 Grants are being conducted by Mrs. Bauer and Mrs. Messer.

CITY OF
DILLINGHAM
ALASKA

Saturday, April 21, 2012
City of Dillingham
City Manager
Dan Forest

RE: Department of Public Works Monthly Report

Several proposals for the water and sewer rate study have been received and the evaluation process will begin once the committee is formed.

The School Facility Committee has completed prioritizing major maintenance items. The process was successful and a new format was established to continue to do this each year.

Additional discussion with Fred Hodge has continued and the current plan will have them into Dillingham in late July early August to pick up the scrap metals. We are making arrangement to be ready.

I have also notified the fish processors who are also interested in this service and have made the venture more feasible for everyone.

We are still looking for the funds to purchase the fish waste dumpster, and are awaiting approval from ADEC to use some grant funding. We are still hopeful to have it here for the fish season. But it will need to be ordered soon.

Force Main Project is in the planning review stage and the easements are being acquired. I was not able to get an update from Steve Cropsey prior to writing this report. I will be contacting PNC to get a status of the project and plan set so I can update the City Council at the meeting.

Department of Public Works has completed the evaluation of landfill options for review by the council. We would recommend approving the LOI to complete the feasibility of the company that has offered the pilot project. There are several advantages to this option and long term operation and costs of the landfill is the chief factor.

We are beginning to review options at the Wastewater Treatment Facility which will be affected by the landfill option that is supported by the Council. We will be preparing a presentation of the options later in the summer once the landfill option is determined.

Thank you,

Carter R. Cole
Director
Department of Public Works

Dillingham Senior Center

To: Dan Forster, City Manager
From: Ida Noonkesser
Date: April 24, 2012

In the month of March we assisted two people with calls to caseworkers and in submitting BBAHC rental payments. This month's paperwork for the state included recording monthly meals, home delivered meals, assisted rides, and unassisted rides.

There was one renter during the month of March at the Senior Center. The Dillingham Quilters' Guild will be using the Center on the third weekend of each month and the pinochle players' group rents the dining room every Friday.

We cancelled our monthly Senior Center Advisory Board meeting in March due to a lack of quorum. We are planning to hold our April meeting as scheduled.

I've met several times with Carol and Dan preparing the Senior Center for the coming year. We inquired of Joan Gone, who works for the State of Alaska. DHSS/Senior & Disabilities Services/Grants Nutrition, Transportation, & Support Services whether the NTS grant funds could help us purchases a copy machine for the Senior Center. Her response was that it could in proportion to related services. For example, if the organization uses the copy machine 50% of the time for non-grant related services then the grant could pay 50%.

For the month of March, the Senior Center served 511 congregate meals to 60 individuals, 116 homed delivered meals to 7 individuals, gave 316 assisted rides to 31 individuals, and 198 to unassisted rides to 24 individuals.

I. CALL TO ORDER

The Code Review Committee met on Thursday, April 19, 2012, in the Council Chambers, Dillingham, AK. Tim Sands, Chair, called the meeting to order at 5:33 p.m.

II. ROLL CALL

Committee Members present:
Tim Sands, Chair/Council Member
Alice Ruby, Mayor
Paul Liedberg, Council Member
Dan Forster, City Manager
Janice Williams, City Clerk

III. APPROVAL OF AGENDA

MOTION: Alice Ruby moved and Paul Liedberg seconded the motion to approve the agenda as presented.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF MINUTES

A. Minutes of March 8, 2012

MOTION: Paul Liedberg moved and Alice Ruby seconded the motion to approve the minutes of March 8, 2012.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Title IV. Revenue and Finance

1. Manager Authority to Settle Unpaid Accounts

City Clerk Williams referenced the MatSu Borough's ordinance allowing the manager to waive fees for applications, permits, and other uses of real property after a best interest finding in favor of the borough, and forwarded to the assembly for their information.

Discussion:

- would also be interested in a policy that applied to interest and penalties, especially in cases where the accumulated interest and penalty are much more than the original tax bill, and interested in getting it timely resolved; and

- noted in some cases the old balance all that was remaining was interest and penalties, and staff was spending more to collect it.

2. Chapter 4.15 Real and Personal Property Tax

a. 4.15.120 C.2 and F, Membership and procedures of BOE

b. 4.15.120 D.1-10 – Conduct of Hearings

City Clerk Williams will contact Attorney Chandler now that the bigger issue of annexation was behind the committee. *(Clerk Note: Attorney Chandler was contacted April 24 via email.)*

B. Title VII. Animal Control

1. Refer to Animal Control Focus Group – assignment is to compare DMC with State Statutes and bring back recommendations to the Code Review Committee

City Clerk Williams reported the Council was presented with a policy on the Animal Shelter in March 2011 and Council was instructed that staff would come back with an update in September of 2011, after they had had some experience with it. The policy addressed one of several major issues that came up in the Animal Control Focus Group, mainly the number of days an abandoned animal remained in the City's control before it could be adopted out or removed. The State statutes overhauled in 2006 had changed the number of days from five to ten business days. The City's code referenced five days, but it was her understanding the City had been adhering to the 10 day standard. The policy and the statute are to be passed by the Animal Control Office and Police Chief for their input.

Discussion:

- questionned if the state statute applied to the municipalities.

City Clerk Williams noted another major issue was animal bites as addressed in the City's Code, which has a no bite law. A group had been formed over three years ago to review this section, had accumulated reams of information, and she was asking did the committee want to review the notes or other codes.

Discussion:

- asked staff to provide the recommendation in a prior lawsuit that stood up in Court, in the City's favor, that the City make some adjustments to its code as it regarded animal bites; and
- spoke in favor of reviewing codes from several other communities.

Staff will provide a copy of a 2007 memorandum from Don Moore to the Code Committee regarding dog bites.

C. Title XI. Vehicles & Traffic and Snowmobiles *(Note: to be reviewed after vote on annexation)*

City Clerk Williams reported there were references in the City's code that addressed state statutes that had since been repealed, and also there had been some work done to clarify the map of the area of downtown for snowmobile and 3 & 4 wheeler traffic.

Discussion:

- commented this would be a good opportunity to reach out to the City's neighbors for a discussion on legal access to town via trails.

D. Annexation – Prepare Ordinances

1. Proposed Ordinance No. 2012-XXX, Levying a 2.5% Tax on Raw Fish Severed from the Commercial Fishing Waters Subject to Voter Ratification

The Committee reviewed the revisions made to the previous severance tax ordinance and made the following suggested changes:

- add under Section 4.22.010, Definitions, "City" means City of Dillingham, which was also added to the raw fish tax ordinance; and
- clarify Section 4.22.045, Refunds, to make it explicit a fisher can only apply for one refund either as low income licensor or as real property owner.

The Committee recommended passing the two ordinances, raw fish and severance tax by the Finance and Budget Committee, and introduce the severance tax ordinance on the May 3 agenda.

Create Ordinance to amend City Boundaries. It was reported that Attorney Chandler had been asked to prepare a new ordinance to amend the code to include the newly annexed area to the City's boundaries. The Committee agreed it could go directly to Council for adoption.

E. Tax Incentives *(Note: to be reviewed after vote on annexation)*

There was nothing to report.

F. Personnel Regulations

Manager Forster reported there were some changes being recommended to the personnel regulations through the process of negotiating the union contracts. At some point, these would be brought before the Council.

G. Write-in Ballots, Legislative Changes

There was nothing to report.

VI. NEW BUSINESS

A. Amend Code to Change Library Board Terms from Two Years to Three Years

City Clerk Williams reported this suggested change would bring the terms in line with all other commissions and committees. Librarian Sonja Marx had presented some other recommended code changes that had been prepared back in 2004. Mayor Ruby commented she had been planning for some time to host an informal session with both the Library Board and Friends of the Library, and the code changes could be discussed.

The Committee directed staff to prepare an ordinance to amend the Library Board terms from two to three year terms to be introduced at the next regular council meeting.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

There were no comments.

The next meeting was tentatively scheduled for May 10.

VIII. ADJOURNMENT

The meeting adjourned around 6:41 p.m.

_____
Tim Sands, Chair

ATTEST:

_____
Janice Williams, City Clerk

Approved: _____

I. CALL TO ORDER

The Finance and Budget Committee met on Monday, April 9, 2012 at the City Council Chambers, Dillingham, AK. Bob Himschoot, Chair, called the meeting to order at 5:00 p.m.

II. ROLL CALL

Committee Members present:
Bob Himschoot, Council Member, Chair
Alice Ruby, Mayor
Tracy Hightower, Council Member
Keggie Tubbs, Council Member
Dan Forster, City Manager
Carol Shade, Finance Director

Guests:
Doug Dombroski, Chief of Police
Carter Cole, Public Works Director
Diane Folsom

III. APPROVAL OF MINUTES

A. Minutes of February 27, 2012

MOTION: Keggie Tubbs moved and Alice Ruby seconded the motion to approve the minutes of February 27, 2012.

GENERAL CONSENT: The motion passed with no objection.

IV. APPROVAL OF AGENDA

Bob Himschoot confirmed adding the item Live Streaming and K-9 Unit under Staff Reports, adding item E. Fish Waste Containers under New Business, and adding item C. Permits and Harbor Fees, under Unfinished Business, Overall Rate Review.

MOTION: Alice Ruby moved and Tracy Hightower seconded the motion to approve the amended agenda.

V. STAFF REPORTS

Chief Dombroski, K-9 Unit:

- would be financed through the Asset Forfeiture Fund from seizures through drug interaction or seizures that the police dept. made that the Court had directed back to the police dept.;
- funds were overseen by the Department of Justice and could only be used for certain functions of the police dept., such as training and equipment;
- reported the selected K-9 dog would be bred and trained for drug interdiction only, and would not be used for patrol, which it was not trained for;

- noted additional funding could be petitioned from the State (partner in drug interdiction), and City could possibly have to help with the cost; and
- noted there would be an agreement between the handler and the City for compensation while the dog was in the handler's care, and the program was covered through the City's insurance carrier.

Discussion:

- concerned that the Asset Forfeiture Funds wouldn't be able to sustain the service, including the cost to the patrolman to take care of the animal after hours, and five years ago the Council turned it down for the same reasons;
- appreciated the current efforts to pursue the Funds through the courts with no monies coming in for the last two years, and hoped a process to continually pursue the funds would be established for future administrations;
- asked for a bottom line budget to include the expected operating costs, what would be covered by the Forfeiture Funds, and how would it be covered otherwise; and
- asked staff to confirm how the Forfeiture Funds could be spent.

VI. UNFINISHED BUSINESS

A. Business Tax Incentives *(postponed to August)*

B. Health Insurance Coverage

Finance Director Shade reported they had received the FY 2013 quotes from AETNA that showed a 3% increase for FY 2013, and was continuing to receive quotes from other carriers through the City's contracted broker.

C. Fiscal Policy Development

1. Overall Rate Review

a. Water and Wastewater

b. Landfill

c. Harbor and Permit Fees

Keggie Tubbs noted he was going to research the fiscal policies from Mesa, Arizona, and it could be a good template to frame some of the fiscal policies.

Discussion:

- noted harbor and permit fees was to be taken up at the next Port of Dillingham Advisory meeting, including looking at other categories of users, and this item would be a placeholder in the meantime;
- noted water and wastewater rates were being addressed through the RFP being advertised;
- recommended tackling the landfill fees by instituting a minimum charge of $5.00, but reserve the entire schedule for a later date and a study could be conducted in house; and

- recommended the landfill fees be covered in the FY 2013 budget.

D. Animal Shelter Facility

Chief Dombroski reported he and his staff had looked at five other options including extending the existing lease, leasing and/or purchasing other available properties, and using the Potato House. They did not feel the Potato House was suitable based on limited amount of storage, no ventilation, interior and exterior space was too small for cages, and close neighbors.

Manager Forster commented if the City was just considering the Potato House for a holding shelter, it would need some improvements, including purchasing smaller cages.

Discussion:
- noted up against a deadline to do something with current lease expiring in June;
- recommended evaluating all options including the armory building at the harbor; and
- suggested City Manager and Police Chief put together a short and long term plan, including an evaluation of the location, and vet it through the Animal Shelter Ad Hoc committee.

Diane Folsom commented the City had originally stated the present location was only a temporary arrangement, and last summer was rough with the dogs outside barking, but the winter wasn't as bad. She noted if the City could assure her the facility was not going to be permanent, she could live with an extension if there was a change in operations to ensure the dogs weren't barking, especially at night. She was concerned it was unfair other options were surfacing and being considered than those that responded to the RFP, and City should think about using one of its existing structures.

MOTION: Keggie Tubbs moved and Alice Ruby seconded the motion to recommend to the Council to ask staff to renegotiate an extension to its existing lease up to six months, to work with the neighborhood, and for staff to develop an aggressive timeline for finding a permanent solution for an animal control facility.

Discussion:
- reinforced that staff work with the neighbors to come up with an operational plan for the summer that addressed their concerns; and
- suggested another option could be to build a new facility for one of the City functions, and move the animal shelter into the older building.

GENERAL CONSENT: The motion passed with no objection.

VII. NEW BUSINESS

A. Review FY 2013 Budget Calendar

MOTION: Keggie Tubbs moved and Carol Shade seconded the motion to approve the FY 2013 Budget calendar.

GENERAL CONSENT: The motion passed with no objection.

B. FY 2013 School Budget

1. Draft Resolution No. 2012-XX

MOTION: Alice Ruby moved and Tracy Hightower seconded the motion to recommend to the Council the draft resolution of $1.3M of which $100K would go toward the school bond.

Mayor Ruby reported last year the City approved the school for an additional $50K to help fund a new program, and the school was asking to include the $50K in the FY 2013 budget. She noted the School Facility Committee was working on a major maintenance list and was at a point where they were going to ask the Council to consider allocating some money for major maintenance outside of the bond payment. Instead of applying the $100K to the school bond, the school wanted to allocate $50K for major maintenance, and $50K to continue the fund the program. She had informed the Supt. the City would need to get through their budget process, and a recommendation would be made to adopt the draft resolution in the meantime to meet the response deadline.

MOTION: Alice Ruby moved and Tracy Hightower seconded the motion to recommend the draft resolution to the Council with possible further adjustments through the budgetary process.

Discussion:

- favored having the Supt. make a presentation on the school budget to the Finance and Budget Committee.

GENERAL VOTE: The motion passed without objection.

C. Sales Tax Audit Contract

Finance Director Shade informed the committee that she was planning a sales tax audit in FY 2013, that one had not been conducted since 2006.

D. Discuss Raw Fish Tax Exemption (Refunds)

Finance Director Shade shared several spreadsheets analyzing other options for an exemption to low income fishers.

Discussion:

- interested in increasing the refund percentage from 50% to higher for low income fishers to provide some relief;
- favored implementing the current exemptions, and make an evaluation before making any changes;
- suggested a poundage threshold, which would be easier to administrate; and
- suggested including this item on the May 7 F&B agenda.

E. Live Streaming

Manager Forster had researched live streaming Council meetings, audio and possibly video. One company had quoted $1,500 for the first year to set it up and the cost of operation, and $600 annually thereafter.
Discussion:

- suggested soliciting proposals from local providers as well; and
- recommended the item be brought up during the budget review with the committee.

F. Fish Waste Containers

Carter Cole, Public Works Director, presented two options for a fish waste container for subsistence fish. The research included a location for the residents to deposit fish waste not too far from town, provide a way to keep the bears out, and keep the smell down. He was looking to locate the container outside the landfill gates after hours. Staff was directed to locate a funding source in the existing budget, and bring a report to the Council.

VIII. PUBLIC/COMMITTEE COMMENT(S)

There were no comments from the public.

Tracy Hightower: no comment

Carol Shade:

- joked if the budget could support some sandwiches for the upcoming budget meetings.

Alice Ruby:

- commented regardless of the results of the election, people are concerned the City have a zero-based budget.

Keggie Tubbs:

- commented he understood the operating budget being held to zero, but the capital budget, without grant funding or other resources, that was one of the reasons to build the fund balance.

Dan Forster:

- commented in the State's preliminary capital budget the City was identified to receive $2.28M for wastewater processing improvements.

Bob Himschoot:

- concerned about the impact of having a bad year on low income fishers, understood obtaining some experience with the current exemption, but also wanted to get it right before the first season.

IX. ADJOURNMENT

The meeting adjourned at 8:57 p.m.

Bob Himschoot, Chair

ATTEST:

Janice Williams, City Clerk

Approved: 4/23/2012

I. CALL TO ORDER

The School Facility Committee met on April 19, 2012 at the Dillingham Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order around 12:15 p.m.

II. ROLL CALL

Committee Members present:
Mayor Alice Ruby
William McLeod, School Superintendent
Dan Forster, City Manager
Carter Cole, Public Works Director
Russell Nelson, Director of Facilities (School)
Tim Sands, School Board Member
Bob Himschoot, Council Member
Robin Samuelsen, Citizen Member

Committee Members absent:
Kim Williams, School Board President

III. APPROVAL OF AGENDA

Major Ruby asked to add Item E. Major Maintenance Appropriation under New Business.

MOTION: Tim Sands moved and Russell Nelson seconded the motion to approve the amended agenda.

GENERAL CONSENT: The motion passed without objection.

IV. APPROVAL OF MINUTES

A. March 21, 2012

MOTION: Tim Sands moved and Bill McLeod seconded the motion to approve the minutes of March 21, 2012.

GENERAL CONSENT: The motion passed without objection.

V. UNFINISHED BUSINESS

A. Affordable Teacher Housing

Mayor Ruby reported she had talked to Dave Byrne of the Chamber of Commerce about the possibility of the Chamber holding a forum with their business members to

discuss housing needs and availability. The Committee would be kept apprised of any progress.

Discussion:

- suggested limiting the term of stay at the red territorial school, and leasing it to new teachers not yet familiar with the community.

B. Schedule Open House of HS/MS with Elementary School Upgrades

Supt. McLeod was targeting early September for the open house. Later on in the agenda it was suggested inviting the City's legislators to the ceremony.

C. Status of Assessment on Red Territorial School

Carter Cole reported he had received several prices quotes to do an assessment, but the RFP had yet to go out awaiting a source of funding. Supt. McLeod noted at the end of this year if the budget was over a certain amount the Board could recommend designating the funds to specific projects and build on it next year.

D. Prioritized School Capital Projects List – Version 2

It was noted that the prioritized list, a joint effort between City and School, was a good working document, was complete, and the work would be to fund the projects. Supt. McLeod noted they might be able to go after some State monies for energy projects.

Supt. McLeod asked if the City could reassign the $100K bond payment to major maintenance and include the additional $50K as appropriated in an addendum to the budget last year.

MOTION: Bill McLeod moved and Bob Himschoot seconded the motion to recommend the $100K be allocated to the School District for the purpose of the CIP projects identified on the priority list.

It was noted the Migrant Ed monies received by the School could possibly be affected by the annexation of the commercial fishing waters, but it had not been defined in the budget without knowing the results of the election. He didn't think the amount would be substantial.

Mayor Ruby commented the resolution being presented was a place holder, and was based on last year's appropriation, and Council would probably come back in late June or July with a revised school appropriation.

The Committee discussed a second motion to recommend adoption of the projects list.

MOTION TO WITHDRAW: Bill McLeod withdrew his motion. There was no objection.

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to recommend to the Council and School Board that the capital projects list be adopted as the School's Capital Projects list.

Supt. McLeod noted if the $100K wasn't appropriated to the major maintenance priority list, and if the school had resources in its own budget once the list was formally adopted, if the district had unexpended revenue it could be spent on the priority projects list.

MOTION: Russell Nelson moved the previous question. *(Clerk Note: The effect of this motion is to immediately stop debate. There was no second.)*

VOTE: There was no objection to the motion.

VOTE: The motion to recommend to the Council and School Board the adoption of the CIP List passed unanimously.

The Committee was in favor of meeting with Rep. Edgmon at their June meeting to discuss the status of the bond, the School's Capital Projects List, and the City's CIP list.

E. Major Maintenance Appropriation

There was nothing new to add.

VI. NEW BUSINESS

A. Schedule Next Meeting

The Committee recommended tentatively scheduling a meeting for Wednesday, June 13, 2012, and polling the Committee members.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

Dan Forster:

- reported the State's legislative appropriation identified $250K to replace the library roof and $2.28M for wastewater improvements.

Bill McLeod reported on the recent change related to the school's funding formula and the required school contribution decreasing from 4 mills to 2.65 mills. The net effect would be more money for the DCSD, or about $183,000.

It was suggested that it might be beneficial to present the school budget and include a presentation on the school's funding formula.

VIII. ADJOURNMENT

Mayor Ruby adjourned the meeting at 1:35 p.m.

_____
Alice Ruby, Chair

ATTEST:

_____
Janice Williams, City Clerk

Approved: _____

CODE ORDINANCE

Requested by: City Council
Introduced: May 3, 2012
Scheduled for Public Hearing: May 17, 2012
Adopted:

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2012-09

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL LEVYING A 2.5% TAX ON SEAFOOD PRODUCTS SEVERED FROM COMMERCIAL FISHING WATERS

WHEREAS, the City of Dillingham has historically devoted substantial public resources for construction, operation and maintenance of public infrastructure intended to support commercial fisheries catching and processing salmon landed in waters of Bristol Bay adjacent to Dillingham; and

WHEREAS, much of the infrastructure supporting Bristol Bay commercial fishing was constructed with federal and state grants which do not provide for ongoing maintenance or replacement funds; and

WHEREAS, it is anticipated that there will be a need to improve infrastructure related to commercial fishing and that state and federal grant funds will not be as available as they were in the past; and

WHEREAS, all other municipalities of similar size and with similar fishing related infrastructure needs in the general Bristol Bay area levy a tax on raw fish including, the Bristol Bay Borough, the Lake and Peninsula Borough and the cities of Togiak, Egegik and Pilot Point; and

WHEREAS, the estimated taxable value of commercial salmon harvested in or adjacent to Dillingham ranges between $20,000,000 and $30,000,000 annually;

BE IT ENACTED BY THE COUNCIL OF THE CITY OF DILLINGHAM:

Section 1. Amendment of Title 4. Title 4 of the Dillingham Municipal Code is hereby amended by adoption of a new Chapter 4.22, Severance Tax, to read as follows:

Chapter 4.22

SEVERANCE TAX

Sections:

4.22.010 Definitions
4.22.020 Resources Subject to Tax
4.22.025 Tax Rates for Resources Subject to Tax
4.22.030 Exemption
4.22.040 Collection and Administration
4.22.045 Special Provisions for Pre-existing Contracts
4.22.047 Appeal of Denial of Tax Refund

4.22.050 Enforcement and Penalties
4.22.060 Severance Tax Return Verification
4.22.070 Confidentiality
4.22.080 Liability for and Collection of Severance Tax
4.22.090 Penalties and Interest

4.22.010 Definitions.

When not clearly otherwise indicated by the context, the following words and phrases, as used in this chapter, have the following meanings:

"Calendar Quarter" means any one (1) of the following three (3) month periods beginning on January 1: January 1-March 30, April 1-June 30, July 1- September 30, October 1-December 30.

"City" means City of Dillingham.

"Market value" means the prevailing value paid for seafood products of like kind and quality by seafood or fisheries businesses in the same market area to fishermen who own their vessels.

"Point of Severance" means the point at which seafood products were harvested (removed from the water) within the City.

"Recovered Units" means all units extracted, or removed whether produced directly or contractually during the period of extraction or removal production.

"Seafood Products" means any raw finfish, shellfish, mollusks and other commercial products of the sea.

"Severer or Harvester" means a person, company, corporation, or other entity engaged in the business of severing or harvesting natural resources within the City. This includes offshore processors of seafood products who process, deliver, catch, or receive seafood products within the boundaries of the City of Dillingham if those activities are not already subject to the City's Raw Fish Tax. It also includes persons who harvest seafood products within the boundaries of the City and transport the seafood products themselves to locations outside the City for sale and/or processing provided that the sales made by such harvesters are not already subject to the City Raw Fish Tax. It does not include persons who sever or harvest seafood products for subsistence or sport uses.

4.22.020. Levy of tax.

There is levied in the City, on any severer or harvester harvesting or processing Seafood Products for sale, profit, or commercial use provided that these Seafood Products are not already subject to the City Raw Fish Tax, an excise tax, denominated as a severance tax. The tax rate shall be the applicable rate as set forth in subsection 4.22.025.

4.22.025 Tax rates for resources subject to tax.

The tax levied by this section shall be at the following rates:

A. For Seafood Products, 2.5 % of the market value;

B. For resources not included herein; as may be considered and approved by the City Council.

4.22.030 Exemptions.

A. If the annual market value of a natural resource severed within the City by a severer or harvester does not equal or exceed the amount of $10,000, the severer or harvester shall be exempt from taxation under this chapter.

B. The harvesters and processors of raw seafood products are exempt from taxation under this chapter if the seafood products harvested or processed are already subject to the City Raw Fish Sales and Use Tax.

C. The harvesters and processors of raw seafood products are exempt from taxation under this chapter if the seafood products harvested or processed are,for the sole purpose and use as bait.

4.22.040 Collection and Administration.

A. A purchaser of seafood products from a severer or harvester subject to tax under this Chapter shall register with the City and, collect, and transmit the tax on the severer's behalf.

B. A purchaser who timely and correctly files a properly completed tax return along with full payment of all taxes due under this chapter shall be entitled to retain five percent of the total tax collected during the calendar quarter to defray administrative costs up to, but not to exceed $300.00.

C. The purchaser shall hold the tax collected in trust for the city until paid. The purchaser shall be entitled to keep any interest accruing to the tax account if the payment is timely.

D. The market value for the calendar quarter shall include the amount paid to any severer or harvester for taxable resources purchased but not paid for by the purchaser during any prior calendar quarter.

E. Every purchaser who makes payments for a seafood product subject to severance tax in a calendar quarter shall submit to the City a City of Dillingham severance tax return, under oath, containing the following information:

1. A description of the waters from which the resource was severed or harvested by commercial fishing district or such other description of location as may be approved by the City;

2. The gross amount of recovered units purchased from each severer or harvester during the calendar quarter ; and

3. The market value of all recovered units severed or harvested during the calendar quarter as of the date of the return.

F. The return along with all taxes due the City for the calendar quarter must be received by the City on or before the last business day of the month following the end of the calendar

quarter for which the return or statement is required. If no payments for seafood products were made in the previous calendar quarter no return is required to be filed.

G. This tax constitutes a lien chargeable against all property whether tangible or intangible owned by the severer. The lien may be foreclosed by the City in the same manner as any other lien against real or personal property.

4.22.045 Tax Refunds.

A. A taxpayer from whom severance tax is collected and timely remitted to the City by a tax collector is eligible for a partial refund of severance tax, if they fall into one of two categories:

1. low income
   a. household income, assets, and financial resources fall within the eligibility standards for the food stamp program under 7 U.S.C. 2011-2025, as amended; or
   b. who has paid a reduced price annual fee for the taxpayer's fishing permit under AS 16.43.160(d) for the calendar year during which severance tax was collected from the taxpayer; or
2. real property owner and has timely remitted real property tax.

B. A taxpayer who qualifies as low income is eligible for a partial refund of fifty per cent of the tax paid under this Chapter.

C. A taxpayer owning real property tax in Dillingham is eligible for a partial refund equal to fifty percent of the severance tax collected from the taxpayer up to a maximum refund equal to fifty per cent of the property tax paid by the taxpayer to the City.

D. The taxpayer can apply for the low income or real property tax refund, but not both. .

E. Any person entitled to a partial refund may obtain a partial refund from the City upon completion and submission of a refund application form to be provided by the City together with such supporting documentation as required by the City to establish eligibility for and the amount of the refund.

F. An application for a severance tax refund shall be filed during the period that begins November 1 and ends December 31 of each year. Failure to submit a refund application by December 31 means that no refund is due to the taxpayer for that year.

G. Applications for a refund under Section 4.22.045(B) above shall be treated by the city as confidential documents not subject to disclosure under Section 2.01.040 of this Code.

H. All refund amounts due to a taxpayer shall be paid by the City on or before March 15 each year. Should the City fail to pay any portion of a refund due interest shall accrue from the due date until the date paid [at an annual rate of five per cent (5%)] to match the current prime interest rate set by the Federal Reserve at the time of payment.

I. The City may offset against any refund due to a taxpayer amounts owed to the City by the taxpayer for sales tax, port and harbor fees, personal property tax, utility charges or any other fines or fees. The amount so withheld shall be identified to the taxpayer in writing on or before February 15 of each year. If the taxpayer believes the offset amount is in error the taxpayer is entitled to an informal hearing before the City Manager on or before March 14.

4.22.047 Appeal of Denial of Tax Refund

A. Any person whose application for a tax refund is denied may appeal to the city manager.

B. No appeal may be taken unless the applicant files with the city clerk written notice of appeal specifying grounds for such appeal within thirty days from the date the notice of denial of refund was mailed.

C. The city clerk shall acknowledge the written appeal by sending the appellant a notice, and notify the appellant by mail of the time and place for the hearing before the city manager.

D. The procedure for the appeal hearing before the city manager will be informal. The appellant, and the person who made the decision on the refund application may themselves appear and present witnesses. The burden of proof in all cases shall be upon the party appealing.

E. The city manager shall make a written decision within five (5) working days of the conclusion of the appeal hearing.

F. Any taxpayer aggrieved by the city manager's final decision, may appeal that decision to the superior court by filing with the city clerk written notice within thirty days of the date of mailing of the city manager's decision. An appeal to the superior court under this section is an administrative appeal heard solely on the administrative record. The notice shall specify grounds for appeal.

4.22.050 Enforcement and Penalties.

A. The superior court, upon request of the City, shall issue an injunction requiring compliance with the provisions of this chapter.

B. the City may determine the severance tax on parties who have not filed a return in an amount based on historical data or the best information reasonably available to the City.

C. A person who fails, refuses, or neglects to file a severance tax return in compliance with this chapter shall, in addition to any other penalties provided by law, be liable for a penalty of ten (10) percent of the tax.

4.22.060 Severance Tax Return Verification.

The City Manager or his/her designee may:

A. Require a severer or harvester, any agent or employee of this person, or the purchaser of natural resources taxed under this chapter to furnish any additional information reasonably necessary to compute the amount of the tax or to determine if a tax is due;

B. Examine the books, records, and files of any such person;

C. Conduct hearings and compel the attendance of witnesses and the production of books, records, and papers of any person; and

D. Make an investigation or hold any inquiry reasonably necessary to a disclosure of facts as to:

1. The amount of extraction or production of a natural resource of a severer or harvester;

2. The purchaser of the natural resource; and

3. Transportation of the resource.

4.22.070 Confidentiality.
Information and materials in the possession of the City which disclose the particulars of the business or affairs of then payer of taxes under this chapter will be kept confidential by the City except in connection with an official investigation by the City or other agency enforcing the laws of the City or the State. The City may publish statistics in a manner which prevents identification of particular returns and may publish tax lists showing the names, taxes, penalties, and interest with respect to taxpayers who are delinquent to assist in the collection of taxes.

4.22.080 Liability for and Collection of Severance tax.
The severer or harvester, or the purchaser or processor of the resources taxed under this chapter is liable for the amount of taxes, interest, and penalties due. The tax, together with penalties and interest, may be collected in a personal action brought in the name of the City.

4.22.090 Penalties and Interest.
All taxes due under this chapter but not timely paid as required are subject to a penalty of 5% of the tax due. Interest shall accrue on the tax due including penalties and interest at the rate of 12% per year from the date such taxes are due. Partial payments shall be applied first to accrued penalties, then to interest, and then to principal. A payment is timely paid when mailed to the City postage prepaid bearing a postmark date no later than the due date.

Section 2. Effective Date. This ordinance shall be effective as of June 1, 2012.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on _____.

_____
Alice Ruby, Mayor
City of Dillingham

ATTEST:

_____
Janice Williams, City Clerk

City of Dillingham Information Memorandum No. O2012-09

Subject: Introduce Ordinance No. 2012-09, an ordinance of the Dillingham City Council levying a 2.5% tax on raw fish severed from the commercial fishing waters

Agenda of: May 3, 2012

Council Action:

Manager: Recommend approval.

City Manager: Dan Forster

Route To:	Department / Individual	Initials	Remarks
X	Finance / Carol Shade		
X	City Clerk / Janice Williams	JW	

Fiscal Note: Yes _____ No ___X___ Funds Available: Yes _____ No _____

Other Attachment(s): None

Summary Statement.

Dillingham's April 10 special election resulted in the passage of two propositions. Proposition 1, approving the annexation of commercial fishing waters to the Dillingham area, and Proposition 2, approving a 2.5% tax on sales of raw fish made within the City boundaries (a sale is defined where the fish ticket is exchanged).

With the passage of annexation, the Council at their May 3 Council Meeting, will move to introduce Ordinance No. 2012-09, approving a severance tax (based on the location where the fish is removed or severed from the annexed waters). It will be set for a public hearing on May 17. A severance tax is not required to be approved by a ballot measure.

If passed, Ordinance No. 2012-09 will allow the City to levy a 2.5% tax, an excise tax, denominated as a severance tax, on any severer or harvester harvesting or processing Seafood Products for sale, profit, or commercial use provided that these Seafood Products are not already subject to the City Raw Fish Tax. The tax rate shall be the applicable rate as set forth in subsection 4.22.025. This is identical to the system in place in Lake and Peninsula Borough.

4.22.025 Tax rates for resources subject to tax.

The tax levied by this section shall be at the following rates:

A. For Seafood Products, 2.5 % of the market value;

B. For resources not included herein; as may be considered and approved by the City Council.

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2012-23

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ACCEPTING THE CERTIFICATION OF THE CANVASSING COMMITTEE RESULTS AND CERTIFYING THE APRIL 10, 2012 SPECIAL ELECTION AND REPEALING RESOLUTION NO. 2012-20

WHEREAS, the Canvassing Committee of the City of Dillingham met on Election night and tallied the votes cast at the polls, and met on April 12, 2012, and tallied the votes of Absentee Voting in Person, Absentee Voting by Personal Representative, Absentee Voting by Mail, and Questioned ballots cast by voters; and,

WHEREAS, the tallies recorded by the Canvassing Committee are as follows:

Proposition No. 1 Annex Commercial Fishing Waters			
YES/NO	Poll Votes	Absentee/Questioned	Total
YES	**353**	**43**	**396**
NO	301	26	327

Proposition No. 2 Levy 2.5% Raw Fish Sales Tax			
YES/NO	Poll Votes	Absentee/Questioned	Total
YES	**352**	**44**	**396**
NO	302	25	327

Recap of All Ballots Issued	Total issued	Total counted (properly cast)
POLL BALLOTS	658	658
ABSENTEE VOTE IN PERSON BALLOTS	58	58
ABSENTEE VOTE BY PERSONAL REPRESENTATIVE	8	7
ABSENTEE VOTE BY MAIL	2	2
QUESTIONED	44	2
TOTAL BALLOTS	770	727

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that Resolution No. 2012-20 is hereby repealed.

BE IT FURTHER RESOLVED that the April 10, 2012, Special City Election was held valid to the best of our knowledge.

BE IT FURTHER RESOLVED that the results are certified as follows:

1. Proposition No. 1, Annex Commercial Fishing Waters passed having received the greatest number of votes cast.

2. Proposition No. 2, Levy a 2.5% Raw Fish Tax passed having received the greatest number of votes cast.

PASSED and ADOPTED by the Dillingham City Council on May 3, 2012.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

City of Dillingham Information Memorandum No. R2012-23

Subject: A resolution of the Dillingham City Council Accepting the Certification of the Canvass Committee results and certifying the April 10, 2012 special election and repealing Resolution No. 2012-20

Agenda of: May 3, 2012

Council Action:

Manager: Recommend approval.

City Manager: Dan Forster

Route To:	Department / Individual	Initials	Remarks
	Finance / Carol Shade		
X	City Clerk / Janice Williams	JW	

Fiscal Note: Yes _____ No _____ Funds Available: Yes _____ No _____

Attachment(s):

- Copy of Certification of Canvassing Committee, April 12, 2012

Summary Statement.

Resolution No. 2012-23 – At the April 19 council meeting, Resolution No. 2012-20, Certifying the Election, was amended to change the total number of poll ballots correctly cast from 658 to 654. This recommendation from staff was an error and will be reversed with Resolution No. 2012-23 adopting the corrected number of poll ballots properly cast, 658 (~~654~~), and the total ballots properly cast, 727 (~~723~~), as originally presented and will include repeal language to repeal Resolution No. 2012-20.

CERTIFICATE OF CANVASSING COMMITTEE RESULTS

CITY OF DILLINGHAM
OFFICIAL TALLY REPORT
April 12, 2012

Municipal Election – April 10, 2012

Ballots Cast on Election Day (tape)	658	Ballots Counted on Election Day (register)	658
Absentee Voting in Person Ballots Rec'd	58	Absentee Voting in Person Ballots Counted	58
Absentee Voting By Mail Ballots Received	8	Absentee Voting by Mail Ballots Counted	7
Absentee Voting by Personal Rep Rec'd	2	Absentee Voting by Personal Rep Counted	2
Questioned Ballots Received	44	Questioned Ballots Counted	2
Total Ballots Issued	**770**	**Total Ballots Counted**	**727**

Proposition No. 1 Annex Commercial Fishing Waters			
YES/NO	Poll Votes	Absentee/Questioned	Total
YES	**353**	**43**	**396**
NO	301	26	327

Proposition No. 2 Levy a 2.5% Raw Fish Tax			
YES/NO	Poll Votes	Absentee/Questioned	Total
YES	**352**	**44**	**396**
NO	302	25	327

I certify that this is the Official Tally Report for the April 10, Special Election.

Paul Ahmad 4/12/12
Election Judge Date

Neil C Armsby 4-12-12
Election Judge Date

Bernice Wall 4/12/12
Election Judge Date

Dana Clark 4/12/12
Election Judge Date

Stephen Jay 4-12-12
Election Judge Date

CERTIFICATE OF CANVASSING COMMITTEE RESULTS

CITY OF DILLINGHAM
OFFICIAL TALLY REPORT
April 12, 2012

Attest:

Janice Williams 4/12/2012

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2012-25

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE WRITE OFF OF BAD DEBTS PAYABLE TO THE CITY FOR PERSONAL PROPERTY TAX, SALES TAX, HARBOR AND DOCK INVOICES DATED 2010 AND PRIOR

WHEREAS, the City has an allowance for uncollectible accounts sufficient to cover the bad debts, as attached; and

WHEREAS, City auditors recommend removing some of the uncollectible receivables from the general ledger; and

WHEREAS, the City provided original invoices to the debtors at the time the tax was levied or the service was provided, and mailed monthly statements detailing the charges and reminding the debtors to pay the City; and

WHEREAS, the City sent occasional individual collection letters asking for payment, but full payment was not received; and

WHERAS, we no longer have a valid mailing address for the majority of the debtors; and

WHEREAS, some of these invoices were already turned over to Cornerstone Collection Agency and therefore have not been receiving invoices from the City for a few years; and

WHEREAS, the option of turning the remainder of these receivables over to a collection agency is not open to the City due to the age of the invoices;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that these invoices totaling $215,748.77 will be written off of the customer accounts and the general ledger with a debit to the reserve for bad debts and a credit to the account receivable.

BE IT FURTHER RESOLVED that the Finance Department will alert to the changing conditions which may allow the collection of these invoices in the future.

PASSED and ADOPTED by the Dillingham City Council on May 3, 2012.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

City of Dillingham Information Memorandum No. R2012-25

Subject: A resolution of the Dillingham City Council approving the write-off of bad debts payable to the City for Personal Property Tax, Sales Tax, Harbor and Dock invoices dated 2006 and prior

Agenda of: May 3, 2012

Council Action:

Manager: Recommend approval.

City Manager: Dan Forster

Route To:	Department / Individual	Initials	Remarks
X	Finance / Carol Shade		
X	City Clerk / Janice Williams	JW	

Fiscal Note: Yes _____ No __X__ Funds Available: Yes _____ No _____

Attachment(s): None

Summary Statement.

The Finance Department has been going through all the accounts receivable files to ascertain the feasibility of collecting on the old accounts. Some of the accounts listed are from 1999 through 2010. The accounts that might have a date of 2010 are mostly penalty and interest postings that add onto old receivable invoices. We have diligently researched these accounts and would request that we be given authority to write these accounts off so that we can begin FY13 fiscal year with receivable numbers on the balance sheet that more accurately reflect actual funds that are likely to be collected in the next 12 months.

Account No.	Account Name	Total
ABRAMS03	Abrams, Mel	142.52
ACTIVE02	Active, Katherine	422.45
AIKEN02	Aikens, Robert	217.52
AIKINS01	Aikins, Steve	1,037.40
AKVILL02	Alaska Village Services	3,247.47
ALAKAAL01	Alakayak, Alexie	518.13
ALAKAY01	Alakayak, Jeanne	388.63
ANAVER01	Anaver, Lance	2,341.32
ARCTICA01	Arctic Circle Air Service	1,206.01
ARTUNER02	Artuner, Ahmet	1,389.78
BANACH01	Banach, Tim **CC**	835.23
BARNES05	Barnes, Ron	3,909.77
BAVILLT01	Bavilla, Thomas Jr.	1,190.06
BERG03	Berg, Arne	82.50
CAPTAIN01	Captain's Table	756.11

CHOCK02	Chocknok, Gust Sr.	1,485.53
CHUNAK03	Chunak, Wassillie (Jr)	411.90
COCHRAN01	Cochran, George	98.00
CRANE01	Crane, Nick	1,049.00
DANS01	Dan's Special Guide **CC*	1,617.93
DAVISJ01	Davis, Jacob	694.80
DENSM01	Densmore, Seth **CC**	1,742.94
DICKS01	Dickson, William Jr.	2,143.63
DRAGNET01	Dragnet Fisheries	358.42
DUNDAS01	Dundas, John **CC**	409.17
EMER01	Emerson, Brad	881.18
ENEYUK01	Eneyuk, Stephan	244.99
ENVIRO01	Enviro Tech Dive	761.00
ERNIE01	Ernie's Cab Company	434.60
FLIGHT01	Flight Alaska DBA Yute Air	8,226.47
FORD01	Ford, Scott	2,246.14
FRANKLI02	Franklin, Charles Estate	2,956.62
GLADDEN01	Gladden, Gerald	384.00
GLOKO02	Gloko, Michael Sr.	229.20
GOLIA02	Golia, Arthur **CC**	1,352.84
GOMES01	Gomes, Donald	2,736.51
GREGORY03	Gregory Anderson, Nancy	1,896.92
GUMLI02	Gumlickpuk, William **C*	2,619.60
GUST06	Gust, Nickolai **CC**	2,059.76
GYNP01	Gynp, Elbourne **CC**	247.00
HANSEN06	Hansen, Olaf **CC**	396.30
HAVARD01	Havard, Scott	1,224.03
HEINRI01	Heinrichs, Robert	1,605.07
HEWITS01	Hewitson, Frank	4,176.51
HILLE01	Hilley, David	746.04
HILLE02	Hilley, Dan	528.00
HIRAT09	Hiratsuka, Allen	1,945.85
HIRATSU01	Hiratsuka, Mark	116.48
HOCKEN01	Hockenhull, Sadie	43.70
HURLEYA01	Hurley, Andrea	290.00
ISHNO01	Ishnook, Blunka Jr.	1,101.26
ISHNOOK01	Ishnook, Natalia	1,932.94
JAKES01	Jake's Alaska Wilderness	334.00
JOHNSON83	Olson, Emma	654.71
KRMARIN01	K&R Marine	27,894.34
KEANE01	Keane, John **CC**	554.25
LEWISS01	Lewis, Steven	3,364.46
LINCOLN02	Lincoln, Charlie	134.38
LOOKS01	Looks Unlimited	6,746.90
MARINE01	Marine Matrix Northwest	1,194.81
MARTINW01	Martin, William **CC**	1,025.01
MCWNEL01	McWilliams & Nelson	95.84

MORRIS01	Morrison, J.C. **CC**	367.26
NANALOO01	Nanalook, Ray **CC**	1,165.82
NELSON05	Nelson, Arthur **CC**	1,101.86
NELSONG01	Nelson, George W. Jr.	118.63
NIELSOA01	Nielsen, Andrew Sr.	744.71
NIELSEN10	Nielsen, Katie	229.82
NIEMI01	Niemi, Eric **CC**	2,710.30
NOBLE01	Noble, Mark **CC**	8,101.71
NYBLOD01	Nyblod, Bruce **CC**	6,892.93
NUNNFIR01	Nunn's Fire Equipment	1,816.26
NUSHA03	Nush Riv Adventures *C*	696.18
OLSON13	Olson, Steve **CC**	446.00
OLSON19	Olson, Sarah **CC**	972.00
OLSONC01	Olson, Curtis **CC**	2,340.04
OVER01	Overbeck, Wesley	5,029.27
PARKER01	Parker, John	410.59
PAVONE01	Pavone, Leonard	136.38
PETLAP01	Petla, Palescovia	448.91
PEARSON04	Pearson, Ward	426.65
ROBERTS03	Roberts, Karen **CC**	243.50
ROEHL01	Roehl, Adolph Sr.	2,955.00
ROMIE01	Romie, Paul Estate	270.50
ROSS02	Ross, Dan	665.34
SAARH01	Saarheim, Jon	7,819.74
SABO02	Sabo, Ryan **CC**	1,344.72
SCHROED03	Schroeder, Roscoe	497.00
SHADE01	Shade, Lynda	354.57
SKINNER02	Skinner, Ronald	420.50
SMART01	Smart, John **CC**	736.23
SMEATON05	Smeaton, Charles	1,033.76
SOLOWAY01	Soloway, Mary Ann **CC**	712.20
TAYLORD01	Taylor, Dave **CC**	300.00
TRUSSLE01	Trussler, Jerry	2,070.91
WALLONA01	Wallona, Leroy	4,516.70
WALLONA03	Wallona, Phillip Jr.	1,464.27
WASKEY01	Waskey, Marjorie	1,174.83
WEEDMAN01	Weedman, Tom/Lucy	439.21
WONHOLA02	Wonhola, Sacally Sr	2,345.75
WONHOLA03	Wonhola, Timothy Sr.	50.74
WREN02	Wren, Clarence Estate	9,529.20
YUTEAIR01	Yute Air Alaska	18,084.25
YUTEAIR02	Yute Air Alaska	11,939.15
ZHAR01	Zharoff, Tonya	351.70
ZHAROFF02	Zharoff, Nicholas **CC**	1,195.75
	Total	215,748.77

Smart Tower Energy
Redefining waste. Powering tomorrow

Letter of Intent (LOI)

Between City of Dillingham and
Smart Tower Energy
4-4-2012 (date)

Proposed Waste to Energy Facility

I. BACKGROUND

Based on interest by the City of Dillingham, Smart Energy has proposed during presentations and meetings with Carter Cole to investigate the finance, design, permitting, construction and operation of a waste to energy facility. SMART TOWER ENERGY proposes to conduct a complete feasibility study to build and operate the facility at NO COST to the City of Dillingham based on the City of Dillingham providing a long term Solid Waste Contract for Municipal Solid Waste and other waste necessary for the facility's operation and sufficient leased space to operate the intended SMART TOWER ENERGY Waste to Energy (W2E) facility.

The project will encourage the generation of clean renewable energy and will contribute positively to the local economy by creating construction employment; permanent "green jobs"; and providing for on-going investment and operations, if the final proposal is accepted by both parties.

PURPOSE OF THE LOI

Based on the preliminary discussions, both SMART TOWER ENERGY and the City of Dillingham are interested in moving forward to determine if SMART TOWER ENERGY's proposal to build and operate a waste to energy facility and for the City of Dillingham to provide solid waste and a location to operate is mutually beneficial and if so, to formalize and execute the required Waste Contract. The City of Dillingham and SMART TOWER ENERGY agree to this LOI so both parties may conduct a full due diligence and agree to cooperate with each other during the due diligence period to the maximum extent possible. There is no obligation to enter into an agreement if either party for any reason determines it is not in their best interest to do so.

II. RESPONSIBILITIES OF SMART ENERGY

- Prepare a summary outlining SMART TOWER ENERGY's Proposal to finance, design, permit, construct and operate a waste to energy facility to dispose of _____ MSW (attached as Exhibit A).
- Prepare a draft Waste Contract for The City of Dillingham's review and comment and to coordinate revisions.
- Respond to questions as a result of the City of Dillingham's review of the Proposal and provide additional information to the City of Dillingham as may be requested.
- Provide a preliminary development schedule which will identify key project milestones including preliminary design, permitting, final design, construction and plant commissioning.
- Present a preliminary site plan and architectural elevations.
- Obtain and maintain insurance coverage during the due diligence period for any SMART TOWER ENERGY personnel or agents including Standard Worker's Compensation and Employer's Liability insurance policies.

III. RESPONSIBILITIES OF the City of Dillingham

- Review, evaluate and provide questions to SMART TOWER ENERGY regarding the Proposal prepared by SMART TOWER ENERGY.
- Review and provide comments regarding the draft Waste Contract prepared by SMART TOWER ENERGY.
- Provide available reports, studies, permits and annual reports regarding the historical and anticipated waste quantity, characterization, delivery, schedule, sources and other waste management data pertaining to municipal solid waste and other Landfills as the City of Dillingham may deem necessary.
- Based on the location of the proposed facility by SMART TOWER ENERGY, The City of Dillingham will assist SMART TOWER ENERGY by providing an opinion if any additional zoning or other special approvals are required to construct the facility.

IV. TERMS OF THE LOI

This LOI is for a term commencing on the latest Effective date signed below and ending One hundred and twenty (120) days thereafter. Within this time period, both parties agree to work diligently together toward the objective of evaluating the potential waste to power contract, and if favorable, the city will initiate the public process to try to achieve the required approvals to complete the project.

V. TERMINATION OF THE LOI

Either party at any time and without cause may terminate this LOI by giving five (5) business days written notice to the other party.

VI. PRIMARY CONTACTS

VII. For _____,:

Name: _____
Phone: _____
Street: _____
Town, Prov. P.C. _____
Email: _____

For SMART TOWER ENERGY:

Name: *Dave Scanlan – Sales Executive*
Phone: *907-360-7366*
Street: *64020 Resurrection Creek Rd*
City, State. ZIP/P.C.: *Hope, Alaska, 99605*
Email: *dave@smarttowerenergy.com*

Name: *Andrew Zwicker – Vice President*
Phone: *1-250-231-9878*
Street: *2538 Spokane St*
City,Prov/State Zip/PC: *Rossland, British Columbia, V0G1Y0*
Email: *andrew@smart-energy.ca*

VIII. SIGNATURES

This document is not binding on either party until a formal contract is executed by all parties. In the event a contract is not signed all parties are released, one to the other, and have no additional responsibilities here under either implied or written.

For _____,:

Date Signed: _____
By: _____
Title: _____
Signature: _____

For SMART TOWER ENERGY:

Date Signed:
By: *Dave Scanlan*
Title: *Sales Executive*
Signature:

Date Signed:
By: *Andrew Zwicker*
Title: *Vice President*
Signature:

Janice Williams

From: Spruce M. Lynch [smlynch@besafeandfree.org]
Sent: Thursday, April 19, 2012 4:59 PM
To: 'Janice Williams'
Subject: Senior Advisory Committee

To: Alice Ruby, Mayor
From: Spruce Lynch
RE: Senior Advisory Commission; consideration for

Dear Ms. Ruby:

I am writing to you requesting consideration for appointment to one of the three seats open on the Senior Advisory Commission. I have lived in Dillingham since December 26, 2008 and continue to enjoy my time. My plan is to make this my home for a long time. The experience I have had working with the elderly population has sensitized me to their needs. I would like to work with people who share an interest in assisting our Elders.

Thank you in advance for your time.

Yours truly,
Spruce Lynch

Spruce Lynch, M.Ed, ABHC
Systems Advocacy Liaison
Safe and Fear - Free Environment
PO Box 94
Dillingham, alaska 99576
907 - 842 - 2320

Janice Williams

From: Johanna Bouker [johannabouker@yahoo.com]
Sent: Tuesday, April 17, 2012 4:16 PM
To: Janice Williams
Subject: Re: Term Expires - Senior Advisory Commission

Hi Janice,

I would be happy to serve again on the Senior Advisory Commission. It is a good feeling to be able to contribute to a mission that serves me as well as other elders in the community. Is that self-serving or what? I have found in life that if the causes one tries to make happen are usually related to self-serving reasons. I guess that is not too far from Ghandi's advice, "Be the change you wish to see in the world".

Regards, Johanna

From: Janice Williams <cityclerk@dillinghamak.us>
To: 'Johanna Bouker' <johannabouker@yahoo.com>
Sent: Tuesday, April 17, 2012 4:01 PM
Subject: Term Expires - Senior Advisory Commission

Johanna, good afternoon. Are you interested in being reappointed to the Senior Advisory Commission?
Please refer to the attached letter.
Thank you.

- Janice Williams, City Clerk

April 19, 2012

PO Box 478
Dillingham, AK 99576

RECEIVED
APR 19 2012
BY:_____

C/O City Clerk
City of Dillingham
PO Box 889
Dillingham, AK 99576

Dear Mayor Alice Ruby:

I would like to serve another term on the Dillingham Senior Center Advisory Board. I have served on the Board for the past few years, three terms as chairperson. Since moving to Dillingham eight years ago, it has been my privilege to serve with a city department that fulfills a vital community need. I would like to continue to support the leadership in making our senior center a space that the entire community can share.

Our senior center offers tremendous potential to develop and fulfill the program mission. I would like to contribute my efforts by supporting management in offering an array of choices to enhance the quality of life for our elders.

I enjoy working as a team player with other community members and would appreciate the opportunity to continue this association.

Thank you for your time in considering my reappointment.

Maryanne Dickey

April 4, 2012

Mulchatna
Tikchik
Trust
gham, AK 99576

To Michael Walton, NRM II, Alaska DNR, DML&W,
Water Resources Section:

Via email to: michael.walton@alaska.gov

Re: AHEA A123097, Millrock Humble Project - Agency Notice for Temporary Use of Water, TWUP F2012-049, TWUP F2012-069 through TWUP F2012-073

Dear Mr. Walton: I am writing on behalf of The Nushagak-Mulchatna / Wood-Tikchik Land Trust (Land Trust) to provide comment on the above referenced TWUPs.

Comment #1: I was recently provided a copy of this notice through informal channels and note the comment period expired March 13. The nature of the notice goes to my first comment and objection to issuing these TWUP's at this time. I am not aware that any of the communities within the Nushagak River Watershed where this activity will occur were provided actual notice of these permit applications through their representative governments and organizations, in particular the municipal and tribal governments and ANCSA corporation landowners. The cities of New Stuyahok, Ekwok and Dillingham are subdvisions of the state and should receive actual notice. The Curyung Tribe, the Ekwok Village Council, the New Stuyahok Tribal Council and the Koliganek Village Council are all federally recognized tribal governments that should also be accorded actual notice. The village corporations are the closest private landowners to the deposit and permission from them will be necessary if the Millrock deposit is ultimately to be developed. They too should receive notice. Likewise, these permits should not be issued without public hearings in the region and a reasonable opportunity for residents of the region to provide comment.

The Nushagak-Mulchatna Watershed Council adopted a framework called "Standards and Practices for Responsible Mining in the Nushagak River Watershed" (copy provided). Copies were provided to DNR and to Millrock several months ago. The Standards provide guidance with respect to notice and comment as follows:

> II. Standards and Practices for Exploration Activities
>
> A. No permit for exploration, including Temporary Water Use Permits issued by the Alaska Department of Natural Resources (ADNR), should be issued without actual notice to the communities and residents of the watershed, a ninety-day comment period and at least one public hearing in Dillingham and one public hearing in the community closest to the proposed exploratory activity.

Comment #2: It does not appear from the material submitted by Millrock to DNR that any reference is made to streams in the claim area nominated to the Anadromous Waters Catalog (AWC) by the Land Trust in September of 2011 and recently added to the AWC

by ADF&G. Streams in the AWC should not be disturbed without a habitat permit from ADF&G. To the extent Millrock's temporary water use will affect unsurveyed streams, our sampling from 2011 justifies a presumption that those streams are habitat for coho salmon and Dolly Varden that are probably anadromous. Therefore, appropriate precautions should be taken to protect that habitat. A map of nominated stream reaches is provided as well as a report of the findings from the 2011 survey conducted by the Land Trust.

Comment #3: The applicant states that stream flow will be monitored "during operations to ensure the pumped water for drilling operations is not removing too much water from the streams to reduce potential fish habitats." Research conducted by the Land Trust in 2011 confirms the area in which the drilling activity will occur is fish habitat. The applicant does not state how it will be determined whether pumping is withdrawing too much water, and whether the person monitoring that activity is qualified to make such determinations.

Sincerely,
NUSHAGAK-MULCHATNA / WOOD-TIKCHIK LAND TRUST

Tim Troll
Executive Director

cc.
Alice Ruby, Mayor, City of Dillingham
Tiel Smith, Bristol Bay Native Corporation
Richard King, Ekwok Tribal Council
Herman Nelson, Koliganek Village Council
Luki Akelkok, Nushagak-Mulchatna Watershed Council
Greg Beischer, Millrock Resources, Inc.
Rick Tennyson, Choggiung LTD
Bud Hodson, Tikchik Narrows Lodge
Pat Vermillion, Royal Coachman Lodge
Representative Bryce Edgmon

MEETING AGENDA
7 P.M. / COUNCIL CHAMBERS

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

V. UNFINISHED BUSINESS

A. Sources for Fund

B, Public Outreach Campaign, need for volunteers

C. High School Gym Use: Open gym staffing, Gym rental costs

D. Rink

VI. NEW BUSINESS

A. Set next Meeting Date

B. Bike rodeo/tuneup: Mike Larsen

C. Ski Trail location and equipment, Cross country course

D. Summer Programs

E. Playground/Bball court/tennis upgrades

F. National Bike to work/school volunteers

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

VIII. ADJOURNMENT

I. CALL TO ORDER

The regular meeting of the Parks and Recreation Committee was held on Tuesday, March 6, 2012 at the Dillingham City Council Chambers, Dillingham, Alaska. Patrick Solana-Walkinshaw, Chair, called the meeting to order at 5:34 p.m.

II. ROLL CALL

Members present: (Quorum is four)

Patrick Solana-Walkinshaw, Chair
Stephanie McCumber, Secretary
Bernina Venua
Amy Whisler
Danny Miller

Members absent:

Tim Sands
Andrew Berkowski
Kathy McLinn

Staff in attendance:

Carter Cole

III. APPROVAL OF AGENDA

MOTION: Unanimously moved.

IV. APPROVAL OF MINUTES

Discussion: None.

VOTE: The motion passed unanimously.

V. UNFINISHED BUSINESS

A. **Rink Update** Jim Luke and Patrick are going to be a core group to maintain the rink. We will use the rink for BRU Thursday, 4-6pm. City has assumed electric cost for the warming hut, but we will try to find funding as to not increase budget for city. Everything is working fine and Patrick has keys to the shed. A storage unit has extra skates that we will try to make accessible to the public. We need to find a volunteer to take it on. We would also like to try to assemble an open skate. Carter-Public Works will donate some hours and be involved to help to develop Parks & Rec.
B. **Leader Grant** We should know if we have received by the end of the month. Bernina will talk to Jodie about a grant for beautification.
C. **Calendar on City Website** Patrick and Bernina worked with Janice to get the Google Calendar up and running on the City website. Do we want to have info on the Meetup Group? We will try to link it to the Calendar.

D. **Public Outreach, Youth Involvement (internet, news media, and meetings)** Bernina-Youth would like to have events that involve them with adults to have positive role models. We will try to do a radio interview KDLG and provide some clarification to the public as to why we are here as a Parks and Recreations Committee, and what we are trying to do. We will check to see what it takes to give a main blurb and some small commercials with Meetup and Calendar info. We will consider putting up informative flyers/posters. Will also check into having a section during the Home Room announcement at the school. We need to try to get more input from youth. We will check into doing some combined nights with basketball and different events to combine the youth and adults. Patrick will talk to Jason about the radio spot.

VI. NEW BUSINESS

A. **Set Next Meeting Date** Next meeting is set for April 3, 2012, at 7:00 PM

B. **High School Gym Use: Open gym staffing, Gym rental costs** Ron is the only one that can facilitate open gym. Patrick will ask the Tribe and School District if they would like to hire someone to facilitate Open Gym. It would be nice to come up with a catchy slogan to encourage more activity for the youth and volunteerism for the adults. Bernina will find the passage in the School Board Policy for the policy involving fees for use of the gyms and being able to waive the fees. We will try to gather as much info from the School District towards the use of Open Gym.

C. **Ski/Hike Trail** Patrick and Andrew are gathering info for making a 5K trail and maintaining it. We are getting good feedback from Choggiung. Carter-There is City land allotted for a future school out by Emperor Way and Waskey. We may beable to have a trail there.

VII. PUBLIC COMMENTS/COMMITTEE COMMENTS

Mike Larsen would like to see a bike event that includes youth for rides to Wood River. We could try to start a collection for old bikes and see if someone would be willing to fixing them. State has a lot of collected abandoned bikes that they are willing to donate for an event.

VIII. ADJOURNMENT

Chair Solana-Walkinshaw adjourned the meeting at 7:08 p.m.

_____
Patrick Solana-Walkinshaw, Chair

ATTEST:

_____
Recorder

CITY OF
DILLINGHAM
ALASKA

April 26, 2012

Marie Paul
PO Box 166
Togiak, AK 99678

Dear Ms. Paul:

On behalf of the City of Dillingham's Mayor and Council, I acknowledge your letter dated April 16, in reference to your donation request related to flotation devices.

The Mayor and several of the Council Members were moved by your letter. As a result they have made a personal donation. The amount enclosed of $285.00 was the combined contribution of Mayor Ruby and Council Members Tubbs, Sands, Liedberg, and Himschoot.

The Mayor and Council wish you well.

Best regards,

Dan Forster

Dan Forster,
City Manager

Cc: Mayor
City Council

141 Main Street • P.O. Box 889 • Dillingham, Alaska 99576
City Hall & Finance Dept. (907) 842-5211 • Fire Dept. 842-2288 • Library/Museum 842-5610
Police Dept. 842-5354 • Harbor Office 842-1069 • Public Works 842-4598 • Senior Center 842-1231
www.ci.dillingham.ak.us

Janice Williams

From: Dfdlg@aol.com
Sent: Monday, April 02, 2012 10:28 PM
To: cityclerk@dillinghamak.us
Subject: Naming of the boat harbor

Hello Janice,
As we discussed a couple of months ago I think an appropriate name for the boat harbor would be the "Harvey Samuelsen Boat Harbor".

This is because Harvey did so much for the fishermen and fishing issues for so many years here in Dillingham and in Bristol Bay. Harvey was always available to volunteer his time and efforts to better commercial fishing for all fisherman. I know personally that Harvey was advocating for fishermen right up to his last week of his life.

I believe Harvey is very deserving of this honor and that I and the community would want to honor him appropriately this way for all he has done in our community, region, and state for his fellow fishermen.

Thank you so much everyone for your consideration in this worthy matter,

Don Ford